

## Chains of the Future

### Introduction

The bail reform that has happened in the United States has been countered by what many have described as a backlash by the criminal justice system. The ability to be able to pay for a person's freedom has been analyzed and it has been concluded that minorities are targeted when it comes to being recognized as a threat to public safety when determining if a person is able to be allowed to remain free until their court date when charged for a crime. The fact that many who are in jails across the United States are innocent correlates to the injustice that contributes to millions of detainees that have overcrowded jails across the country and have raised questions about human rights violations that are occurring under these conditions.

### Research Question

Is it a violation of human rights to detain people in overcrowded jails? Detainees are people who have not been found guilty of a crime and are incarcerated awaiting their trial. They have not been granted the same access to their right to liberty because of lack of money for bail, or they have not made it through the pretrial process and are labeled as a threat to society.

### Literature Review

After attempts of bail reform and backlashes of pretrial procedure many feel that many are not treated equally in a criminal justice system that takes away their liberty at the expense of the taxpayer (Nowotny & Brinkley, 2020). The United States was founded on some of the most important documents that have led the world in a pursuit of human rights (Andelman, 2008). As a new nation it got a head start, in the sense that it adopted its criminal justice system from England and have managed to modify some of its imperfections. The people of this nation

have seen many things get better like segregation and has seen things get worse like overcrowded jails that detain the people who are discriminated by a money bail system (Andelman, 2008). Especially now with Covid-19, there is a lack of compliance by the criminal justice system to treat detainees who have not had their trial in conditions that violate their human rights (Nowotny et. al., 2020). The United States leads the world in people that it incarcerates and has not adopted any of the reforms that other countries have seen success from (Aharoni et. al. 2019) It has taken other countries by surprise that the nation that has the most freedoms can still manage to take away liberty in exchange for money.

#### Method

Because the last 25 years this has been gaining momentum and its definition has been condensed over this time. “any methodological measurement applied to text for social science purposes” (Duriau, V., Reger, R., & Pfarrer, M. 2007). I searched major academic journals that were peer reviewed in the ProQuest and BCSO databases using the key words content analysis, runaway teens, drug addiction. An advantage to using content analysis is that it can be used with both inductive and deductive reasoning

#### Expected Results

My hypothesis is that it is a violation of human rights to detain people in jails that are overcrowded. My expected results are that many states have tried to find alternatives to overcrowding jails, but have failed to pass legislation that prevents people who cannot afford bail to remain free.

#### Significance

Many families bear the burden of having their loved ones incarcerated and cannot support themselves without their family member. This would provide further reasons why bail reform

has not helped the overcrowding of many jails and the continued discrimination of minorities by the criminal justice system.

#### References

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