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Capstone Research Proposal

<div align="center">Poster Text</div>

<div align="center">Background</div>

The criminal justice system is very complex and contains many different aspects from the courts, to corrections, to police, to the public's overall view on how crime should be approached and what legislation should be passed. Mass incarceration and prison overcrowding are issues that have been not properly covered or addressed primarily because of those it affects. This study will not only shine a light at the problems at hand but also attempt to find statistical data to inform the public about possible pathways that these issues can be solved.

<div align="center">Introduction</div>

In 2011, the United States Supreme Court decided that California's prisons were so overcrowded that it violated the prisoner's 8th Amendments right of freedom from cruel and unusual punishment. Nearly a decade later and still the majority of states are plagued with the issues of mass incarceration and prison overcrowding. California is still the worst offender with an average prison currently at 135% capacity (Waters, 2019). With mass incarceration still one of the nation's under-represented civil rights issues, it is important is identify what are the root causes and if the programs and initiatives have been successful overall.

This study will focus on:

- Identifying states that still have prisons that are overcrowded and the root causes of mass incarceration
- Comparing recidivism rate among states and the federal level
- Comparing different methods that states and the federal government have attempted to manage the issue of mass incarceration
- Evaluating which methods are successful and to what degree

Methods

The participants for this study will be all prisons as well as all released prisoners within the past two decades in America. Moreover, for recidivism, participants will be all offenders who were released within the past two decades in America. For comparison, I will also be using information about prison occupancy, prison services, and recidivism data from other countries (England, France, South Korea, Canada, etc.). The materials that I will use in this study are open accessible information about prisons and their prisoners as well as information given about recidivism and private prison operations. The procedure for this study is to first obtain all the information and statistical data I can about American state, federal, and private prisons occupancy versus the respective prison capacity. This information will showcase the issue of mass incarceration. This set of information will be compared to the same values of occupancy versus capacity of other countries. From there I will add the aspect of recidivism for all prisons in America and how those values compare to other countries. The final step of this study is to highlight aspects of the criminal justice system that both alleviate and exacerbate the issue of mass incarceration in America.

Literature Review

As the criminal justice system has evolved, there have been several movements that guide the decisions and policies that are implemented. The classical school developed in the mid-18th century and was the foundation of America's original criminal justice system. It focused on the crime that was committed, not the person who committed it or why. It also emphasized punishment fitting the crime committed and executed by a fair system (Beccaria, 1764). This shifted as theories moved into the Positivist school which focused on understanding why the person committed the crime, which eventually caused the formation of rehabilitation programs.

After the "Nothing Works" doctrine (Martinson, 1974) in the 1970's, America turned back to classical views with the Neo-Classical era, the "tough on crime" period. This saw a surge of mandatory minimums, increased emphasis on longer sentences, and a dismal of rehabilitation programs. Over the past few decades, America has begun to drift away from the Neo-Classical thinking, but there still is a long way to go.

Expected Conclusions

- The majority of states will still have prisons which are operating at over 100% capacity, but overall prison overcrowding will have decreased from past decades.

- States that currently have legislation akin to the "Three-Strikes-Rule" and other such repeat offender legislation will have a higher rate of prison overcrowding.

- States that actively use mid-sentence education and work programs as well as rehabilitation programs will have an overall lower recidivism rate.

- States that have a higher percentage of private prison usage will have a higher recidivism rate but a lower prison overcrowding rate.

Significance

The significance of this study will be bringing light to a civil rights issue that is often disregarded because of those it effects. Although prison overcrowding as a whole was deemed not to be a constitutional violation, the issue still creates numerous problems for the prisoners, the prison staff and society at large. This study intends to not only inform the public about the issue itself but also provide the public information about programs and legislation that has seen success in different areas of the nation.

References

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