

A comparative analysis of the United States prison system

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Introduction

The prison systems of the United States, Norway, and Germany all employ different approaches, ranging from rehabilitation-focused to punishment-focused. The United States has a more punishment focused approach and has the highest incarceration rate in the world. Norway and Germany employ approaches that are more rooted in rehabilitation and work to help reintegrate inmates back into society. It would be beneficial for the United States to employ a more rehabilitative approach, in order to improve prisoner welfare and the economy.

Structure

United States

The United States' prison system is separated into three main levels: federal, state, and local. Federal prisons are for those who have committed federal crimes and is run by the U.S. Bureau of Prisons (National Research Council et al., 2014). State prisons hold prisoners who have committed felony offenses with sentences usually longer than a year (National Research Council et al., 2014). These prisons are run by a state's individual Department of Corrections (National Research Council et al., 2014). The lowest level is local jails, which typically hold defendants awaiting trial and those serving short sentences, usually less than a year. Local jails are generally considered county or municipal facilities (National Research Council et al., 2014).

Norway

Norway's prison system is sectioned off into four types, all controlled under the Norwegian Criminal Justice Directorate (KDI), which has the highest administrative responsibility within the Correctional and Probation Services (Dugdale, 2020). The four prison types are Extra High Security, High Security, Low Security, and Transitional Housing. Commonly, prisoners will start their sentence at a higher security level, and after an assessment

of safety, be moved to a lower security level during the last year of their sentence (Dugdale, 2020). This gradual transition is used to help a prisoners' return into society (Dugdale, 2020).

Extra High Security

Prisons of this security level are for inmates who are viewed to be in danger of escape, taking someone hostage, or committing another serious crime (Dugdale, 2020). Those in these prisons are prohibited from interacting with any other inmates from other departments or those held at the same security level (Dugdale, 2020). Time in an extra high security prison can last up to six months but can be continued upon review (Dugdale, 2020).

High Security

High security prisons are closed prisons that have a wall or high fence surrounding the vicinity (Dugdale, 2020). Inmates in these prisons can participate in education and recreational activities and, within reason, should have access to training and socializing (Dugdale, 2020). Cells are searched daily, and inmates will be locked in their cells if they are not engaging in activity throughout the day (Dugdale, 2020).

Low Security

These prisons have fewer security measures but will still typically have a fence to keep inmates in (Dugdale, 2020). Inmates are able to share rooms with other inmates and are not locked in their cells, even when the building is locked overnight (Dugdale, 2020). The goal is for inmates to have more interaction and contact with the outside world through temporary releases and visiting arrangements (Dugdale, 2020).

Transitional Housing

Transitional housing refers to a group of residences that are still considered prisons but are less restrictive, where inmates can be transferred to toward the end of their sentence

(Dugdale, 2020). They exist with the goal of gradually reintegrating inmates into society with the help of professionals who address the inmates needs for living and work (Dugdale, 2020). In order for an inmate to be transferred here they must meet standards of safety and it must be deemed beneficial in the fostering of positive development and deterring new crime (Dugdale, 2020).

Germany

Germany's prison system operates solely on the state level, where all sixteen German states work independently, and are categorized by security level, similar to the United States, into "open" and "closed" prisons (Aronowitz, 2008). Closed prisons exist with a high security level and are used to house violent offenders with longer sentences, as well as often having higher levels of internal and external security (Aronowitz, 2008). Open prisons are low security and are used to hold nonviolent offenders with shorter sentences, as compared to closed prisons (Aronowitz, 2008).

Incarceration Rates

United States

The United States has the highest rate of incarceration in the world, with over twenty million Americans who are currently or have been incarcerated (Al-Rousan et al, 2017). Statistically, one in every 110 adults are incarcerated in prisons and jails, totaling almost 2.3 million people (Al-Rousan et al, 2017). In federal prisons, the prison population has increased by more than forty percent from 2001-2010 (National Research Council et al., 2014).

Norway

The average capacity of the prison system is around 4,122 inmates, with the average number of prisoners being 3,850 (Dugdale, 2020). In 2016, the incarceration rate per 100,000

residents was 71.9 with the total number of imprisonments totaling 9,808 (Dugdale, 2020).

While the capacity of each prison could range from as low as 15 to as high as 400, the average inmate capacity was 70 inmates (Dugdale, 2020).

Germany

With a general population that is one-fourth the size of the United States, Germany currently incarcerates 63,500 inmates, which is one-tenth the incarceration rate of the United States (Turner & Travis, 2015). Only five percent of those convicted of crimes end up in prison and about seventy percent have sentences of less than two years (Turner & Travis, 2015). There are few who are sentenced to or serving more than fifteen years (Turner & Travis, 2015).

Effectiveness

United States

A key way to measure the effectiveness of a prison system is to look at the rate of recidivism, or how likely it is that they will end up back within the prison system. Research done in 2012 found that more than two-thirds of those who left prison in 2005 were rearrested within three years and more than three-quarters were rearrested within five years (Kilgore, 2015). This is a five percent increase compared to the rate of people released and rearrested in 1983 (Kilgore, 2015). This can be attributed to a number of factors, including a shift in ideology and the regulations of parole and probation.

Ideology

A majority of the twentieth century held the ideology that prisoners would have opportunities to shift from crime to a more socially acceptable lifestyle. These opportunities, including job training and education, could lead to early release if performance was positive. (Kilgore, 2015). This meant that the amount of time served was dependent on a person's actions

during incarceration, referred to as indeterminate sentencing (Kilgore, 2015). Rising crime rates in the 1970s led to the belief that these opportunities and the ideology of rehabilitation was not working, and harsher treatments were called for (Kilgore, 2015). With rehabilitation no longer being a goal, many of the helpful programs offered were scrapped, education included. In 1979, forty one percent of state prisoners were part of education programs, which had fallen to twenty two percent by 1995 (Kilgore, 2015).

Parole and Probation

The role of parole and probation used to function with the goal of helping clients recently released from prison or jail successfully transition back into society; often being trained as social workers (Kilgore, 2015). After the ideology shift, parole and probation officers look and act more like law enforcement, looking to find one of their clients in a compromising situation or with a technical violation (Kilgore, 2015). A technical violation is failure to comply with a rule or regulation, such as missing a meeting with a parole officer, not disclosing parole status to an employer, associating with someone who has a criminal history, and/or getting a positive drug test (Kilgore, 2015). As technical violations have expanded, the percentage of those entering prisons because of these violations has also increased. In 1980, around seventeen percent of those entering the prison system were entering because of a parole violation (Kilgore, 2015). By 1999, the percentage had increased to more than a third, with two-thirds of those parole violators being returned for technical violations (Kilgore, 2015). This number then slightly decreased in 2012 to twenty seven percent, when there were some minor changes to parole conditions in some of the large U.S. States (Kilgore, 2015).

Norway

With a prison population that is one-tenth the population of United States' prisons, Norway's recidivism rate is less than thirty percent, which is half of what it is in the United States (Kofman, 2015).

Mental Health

United States

When comparing the population of those struggling with mental illness within the prison system to those in the general population, it is found that those within the prison system are overrepresented by rates two to four times the general population (Al-Rousan et al, 2017). When looking at individuals with serious mental illnesses (SMI), there are ten times more in prisons and jails than in state mental hospitals (Al-Rousan et al, 2017). Data from the Iowa Department of Corrections (IDOC) was used to research the prevalence of mental illness within the corrections system. Based on the research, it was determined that almost half of all inmates had a history or a diagnosis of one or more mental illnesses and almost a third had a SMI (Al-Rousan et al, 2017). Depression and major depressive disorder were present in eighteen percent of all inmates and accounted for thirty eight percent of all mentally ill inmates, therefore making it the most prevalent (Al-Rousan et al, 2017). Anxiety and panic attacks were the next most common, being present in seventeen percent of inmates (Al-Rousan et al, 2017). While this data is from Iowa, it was found to be nearly fifty percent similar to prevalence rates in other U.S. states (Al-Rousan et al, 2017). However, this similarity rate is based on data from 2004, as that was the most recent study on mental illness rates done by the Bureau of Justice Statistics (Al-Rousan et al, 2017).

Norway

Mental health is a large concern within the Norwegian prison system as ninety-two percent of inmates are impacted by mental illness (Dugdale, 2020). Statistically, studies have found that seventy three percent of inmates have personality disorders, and forty two percent are struggling with anxiety disorders (Dugdale, 2020). Only eight percent of inmates are thought to have no mental illness (Dugdale, 2020). Some inmates face other struggles that could impact mental health. Six out of ten inmates suffer from drug addiction, two thirds have experienced some form of childhood trauma, and one third are homeless (Dugdale, 2020).

Germany

Access to mental health care and services available differs between German states, however the common theme remains that the demand for mental health care is greater than services available (Lehmann, 2012). Inmates are generally affected by psychosis and mood disorders or severe personality disorders. Often the stress of imprisonment and a prison lifestyle could have negative impacts by worsen existing mental health problems (Lehmann, 2012). Psychiatric practitioners work with prison authorities to accommodate for these patients, by creating supportive working areas or setting up special living conditions (Lehmann, 2012).

Expenses

United States

In 2012, the federal prison budget had grown by almost two billion dollars, over the previous five years (“Rising Prison Costs”, 2016). In 2007, the approximate total spent on federal prisons was 5.1 billion dollars (“Rising Prison Costs”, 2016). These increases in spending are also prevalent in states’ budgets, as evidenced by Vermont. From 1996 to 2008, Vermont’s prison spending almost tripled, from 48 million dollars to 130 million dollars a year (“Rising Prison Costs”, 2016). The same is happening with local jails. As of the end of 2017, the costs of

local correction facilities had increased by six times that of 1977, reaching 25 billion dollars, and the average yearly cost of holding an individual in jail is roughly \$34,000 (“Local Spending”, 2021). In 2017, local governments spend 521 percent more on corrections compared to 1977, consuming almost one in seventeen of local budget dollars (“Local Spending”, 2021).

Norway

The Norway prison system spends \$90,000 a year to house each prisoner, roughly three times what is spent in the United States (Kofman, 2015).

Analysis

Overall, in the prison systems of Norway and Germany, the emphasis seems to be on rehabilitation, whereas the United States seems more focused on punishment. This is evidenced by the fact that incarceration is used less frequently and for shorter periods of time in Norway and Germany. Regardless of prison system, mental health struggles and high rates of mental illness seem to be consistent.

The incarceration rate of the United States is significantly higher than both Norway and Germany. The United States’ system contains 2.3 million inmates, with Norway and Germany each having relative incarceration rates that are one tenth that of the United States.

While Norway pays \$90,000 on average per prisoner annually, which is three times the United States who spend roughly \$34,000, their recidivism rates are less than thirty percent. This is half the recidivism rate of the United States.

While a prison system like Norway, which is focused on rehabilitation, may cost more per individual, it would allow for a decrease in recidivism and the overall prison population. Even though Norway spends three times more, the drastic difference in inmate population means that the United States is still spending significantly more anyway. Therefore, a switch in

approach for the United States could ultimately decrease incarceration and recidivism rates. This would lead to societal improvements and could lessen national economic hardship over time.

Conclusion

The vastly different approaches demonstrated prove that there are many different factors that affect prison systems and, therefore, multiple possible outcomes. However, it has been shown that rehabilitative approaches are more effective in reducing recidivism and incarceration rates. Therefore, it would be beneficial for the United States to employ a more rehabilitative approach, in order to improve prisoner welfare and the economy.

References

- Al-Rousan, T., Rubenstein, L., Sieleni, B., Deol, H., & Wallace, R. B. (2017). Inside the nation's largest mental health institution: a prevalence study in a state prison system. *BMC Public Health*, *17*(1), 1–9.
<https://doi.org.sacredheart.idm.oclc.org/10.1186/s12889-017-4257-0>
- Aronowitz, A. (2008). *World factbook of criminal justice*. Bureau of Justice Statistics.
- Dugdale, W. (2020). *Interprofessional collaborative practice in the Norwegian prison system: a case study exploration of front-line professionals at two transitional residences reintegrating inmates back into society*.
- Kilgore, J. (2015). *Understanding mass incarceration: A people's guide to the key civil rights struggle of our time*. The New Press.
- Kofman, J. (2015). *In Norway, a prison built on second chances*. NPR.
<https://www.npr.org/sections/parallels/2015/05/31/410532066/in-norway-a-prison-built-on-second-chances>
- Lehmann, M. (2012). Psychiatric care in the German prison system. *International Journal of Prisoner Health*, *8*(3–4), 131–140.
<https://doi.org.sacredheart.idm.oclc.org/10.1108/17449201211285003>
- Local spending on jails tops \$25 billion in latest nationwide data. (2021). *American Jails*, *35*(2), 47–53.
- National Research Council, Division of Behavioral and Social Sciences and Education, Committee on Law and Justice, Committee on Causes and Consequences of High Rates of Incarceration, Redburn, S., Western, B., & Travis, J. (2014). *The growth of*

incarceration in the United States: Exploring causes and consequences. National Academies Press.

Rising prison costs: restricting budgets and crime prevention options: hearing before the Committee on the Judiciary, United States Senate, One Hundred Twelfth Congress, second session, August 1, 2012. (2016).

Turner, N., & Travis, J. (2015). What we learned from German prisons. *The New York Times*.