

## ANGLAIS

En vous appuyant *uniquement* sur les documents du dossier thématique qui vous est proposé, vous rédigerez une synthèse répondant à la question suivante :

*Addressing mass incarceration issues in the US: towards a better and fairer system?*

Votre synthèse comportera entre 450 et 500 mots et sera précédée d'un titre. Le nombre de mots rédigés devra être indiqué à la fin de votre copie.

### Liste des documents :

1. "A matter of Justice", *Vogue*
2. "Criminal justice system reform: Trump, senators on board, so what's the holdup?", *USA Today*
3. "Some facts behind America's highest incarceration rate", *CNN*
4. "The prison penalty in unemployment", [prisonpolicy.org](http://prisonpolicy.org)
5. "Land of the free", Adam Zyglis

## Document 1

### A matter of justice

Adapted from Julia Fesenthal, *Vogue*, March 8, 2018

One unseasonably warm day in February, photographer Stefan Ruiz and I wander over to the Brooklyn Detention Complex [...]. It's only a minute before a young man [...] emerges through the main doors. He's grinning and wants us to take his photo, to capture his first moments of freedom after eight months in lockup. [...] Neither of us is currently incarcerated, but we stand on two sides of an invisible line: He's black, in prison-issue sweats, and part of the system. I'm white, in vintage Levi's, and not.

"The system of mass incarceration is based on the prison label, not prison time," writes civil rights lawyer and legal scholar Michelle Alexander in her seminal book *The New Jim Crow*<sup>1</sup>. "Once swept into the system, one's chances of ever being truly free are slim, often to the vanishing point." In America, where we have less than 5 percent of the world's population and nearly 25 percent of the world's prisoners, we talk a lot about "mass incarceration," but rarely do we stop to define exactly what that means. Data assembled by the Sentencing Project spells it out: Currently 2.2 million people are in prison or jail in the U.S. [...] In the past 40 years, owing in no small part to the war on drugs<sup>2</sup>—born under President Nixon, realized by President Reagan, made indelible by President Clinton's harsh sentencing policies and federal grants to expand state and local law enforcement—incarceration has increased by roughly 500 percent. [...]

Crucially, prisons and jails do not reflect demographics outside, where non-Hispanic white Americans still represent a majority (about 61 percent). "Blacks are nearly four times as likely as whites to be arrested for drug offenses and 2.5 times as likely to be arrested for drug possession," says a 2016 Sentencing Project report on state prisons. "This is despite the evidence that whites and blacks use drugs at roughly the same rate." [...] One in 17 white men in this country is likely to end up behind bars. For Latino men it's one in six. For black men it's one in three. (Black women are more than six times as likely as white women to end up in prison—Latina women more than twice as likely—and women's incarceration has been outstripping men's at a rate of 50 percent since 1980.) Even for those who have finished paying their debt to society, as criminal justice reform advocate and New Jersey Senator Cory Booker likes to say, there are more than 40,000 collateral consequences, including decreased access to social services (food stamps, public housing) and educational and job opportunities, loss of ability to serve on juries and, in some cases, to participate in the democratic process (in Alabama, for example, nearly 30 percent of the black male population has permanently lost the right to vote).

<sup>1</sup> Jim Crow laws were state and local laws that enforced racial segregation in the Southern United States in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The laws were enforced until 1965. [Wikipedia]

<sup>2</sup> War on drugs: the effort in the United States since the 1970s to combat illegal drug use by greatly increasing penalties, enforcement, and incarceration for drug offenders. [Encyclopaedia Britannica]

## Document 2

### **Criminal justice system reform: Trump, senators on board, so what's the holdup?**

Deborah Barfield Berry, *USA TODAY*, December 10, 2018

President Trump and key senators are pressing Republican leadership to "seize this opportunity" to act on a long-awaited bipartisan bill that aims to reduce the number of people in the nation's crowded prisons.

An unusual coalition of Republicans and Democrats, conservatives and liberals, civil rights groups, and the White House have rallied around criminal justice reform pushing for action on the latest effort – a Senate bill called the "First Step Act". [...]

First, a quick look at the numbers:

- Half of all adults in the U.S. have an immediate family member who has been incarcerated, according to a new study by FWD.us, a group focusing on immigration and criminal justice reforms.
- The tab for the nation's criminal justice system is \$270 billion a year, the Brennan Center for Justice reports.
- The 2.2 million people in prison cost taxpayers about \$31,000 each a year.

Then there's a human cost as more people are sent to prison, some of them for a long time for minor nonviolent offenses. [...]

"There's no question that the policies that we've had for more than 40-plus years have devastated communities of color," said Vanita Gupta, president of the Leadership Conference on Civil and Human Rights. "They have resulted in the permanent locking out of communities of color from the mainstream economy. It is high time that Congress acted."

Supporters of reform efforts said there should be more programs to reduce repeat criminals. Many times people returning from prison have a hard time finding jobs, housing and other support. That sometimes leads them to turn again to crime and the cycle repeats.

About 4 in 9 state prisoners released in 2005 were arrested at least once during their first year out, according to a May study by the Bureau of Justice Statistics.

Advocates for reform said money would be better spent on programs – such as drug treatment and vocational training<sup>3</sup> – to prevent people from going to prison in the first place.

"It focuses on making prisons better," said Andrea James, executive director of the National Council for Incarcerated and Formerly Incarcerated Women and Girls. "It doesn't focus on the front end. It's not even going to begin to put the indictment on the systems – the systems of racism, the systems of income inequality." [...]

The 103-page First Step Act includes provisions that aim to improve rehabilitation programs for former prisoners and give judges more discretion in sentencing offenders for nonviolent crime, particularly drug offenders.

But there is also major opposition from some conservatives, including Republican Sen. Tom Cotton of Arkansas, who has called it a "criminal leniency" bill that would let too many "serious felons" out of prison.

<sup>3</sup> Vocational education is education that prepares people to work in various jobs, such as a trade, a craft, or as a technician [Wikipedia]

## Document 3

### Some facts behind America's high incarceration rate

Adapted from Drew Kann, *CNN*, July 10, 2018

Year after year, the United States beats out much larger countries – India, China – and more totalitarian ones – Russia and the Philippines – for the distinction of having the highest incarceration rate in the world. [...]

But after decades of explosive growth, there are signs that the country is turning the corner on mass incarceration. The prison population decreased in 2016 for the third straight year, and prison reform, in general, is one of the rare issues with bipartisan support on Capitol Hill and in the White House. On the other hand, approximately \$80 billion is still spent each year on corrections facilities alone, according to a Prison Policy Initiative report, dwarfing the \$68 billion discretionary budget of the Department of Education. Clearly, this issue is complicated. To better understand who the system impacts, it requires looking beyond the big numbers. [...]

Nearly half of all inmates in federal prisons are held on drug charges, but drug offenders make up a smaller proportion of the population in state prisons and jails. Some have said that the "war on drugs" is responsible for America's massive prison and jail populations. And while this rings true in many federal prisons – where nearly half of all inmates are locked up for drug charges, often serving lengthy sentences – it's a different story in state prisons and local jails. In these facilities, where the vast majority of incarcerated people are housed, Prison Policy Initiative says those held for drug offenses are a much smaller proportion of the overall population.

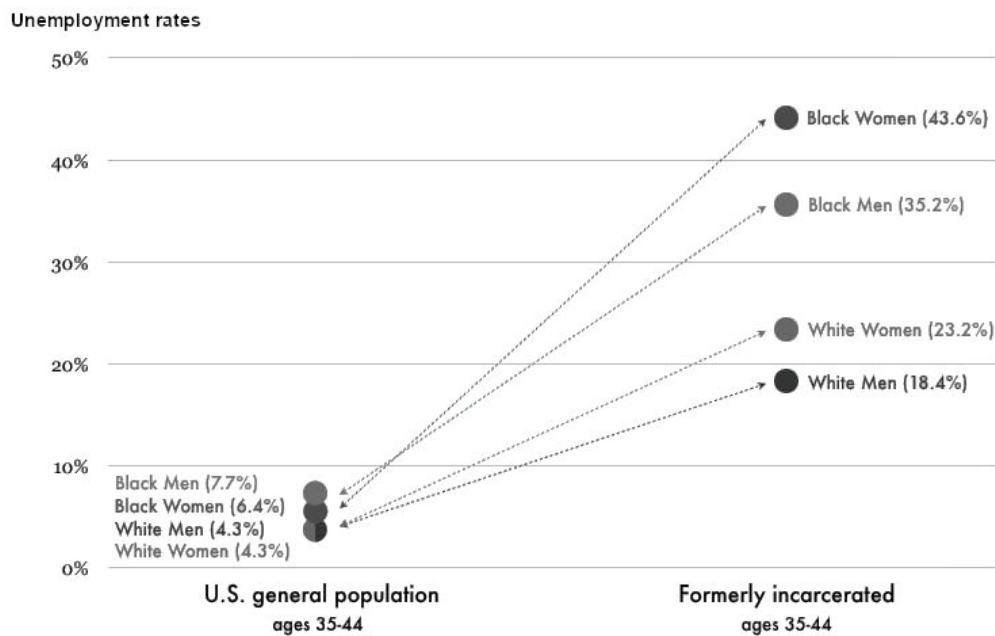
But this still oversimplifies the relationship between drugs and mass incarceration. For instance, there is huge variation from state-to-state in how drug policies are enforced. States like Louisiana and Oklahoma, for example, lock up drug offenders at rates far exceeding most others.

Compared to the racial makeup of the overall US population, African-Americans continue to make up a disproportionate amount of the prison population. It has been a defining characteristic of the criminal justice system for years, and it's still the case today. Though African-Americans comprise only about 12% of the total US population, they represent 33% of the federal and state prison population. [...]

But as the overall incarcerated population has slowly retreated from its peak in 2009, a shift is happening in American prisons: the disparity between the number of African-Americans and whites locked up is shrinking. Between 2009 and 2016, Pew's analysis shows the African-American prison population fell 17%, exceeding the 10% drop in the number of whites behind bars. The Hispanic population was virtually unchanged over the same period. There are a number of ideas about what's behind this closing gap, from stiffer law enforcement in rural, predominately white areas, to the scourge of opioids and heroin, which have hit white communities hardest.

## Document 4

### The “prison penalty” in unemployment



The “prison penalty” in unemployment, Prison Policy Initiative (prisonpolicy.org), 2018

## Document 5



“Land of the free”<sup>4</sup>, Adam Zyglis, 2008

<sup>4</sup>“Land of the free” refers to a phrase in the “Star-Spangled Banner”, the national anthem of the United States.