HOT TOPICS CAFÉ

ARIZONA PRISONS

Tuesday, May 10, 2016
3 - 4:30 p.m.
Yavapai College, Sedona Center (OLLI)
Facilitated by Mike Popejoy, Philosophy, Coconino Community College

NORTHERN ARIZONA UNIVERSITY
College of Arts & Letters
Philosophy in the Public Interest
3 p.m.  
Welcome and Introduction  
Andrea Houchard, Director, Philosophy in the Public Interest  

3:15 p.m.  
Community Dialogue  
Mike Popejoy, Philosophy, Coconino Community College  

Option 1: Continue to Expand the Prison System in Accordance with Current Policies  
Option 2: Reduce the Size of the Prison System by Changing Sentencing Policies  
Option 3: Reduce the Size of the Prison System by Changing Parole and Probation Policies  
Option 4: Reduce the Utilization of Private Prisons by the State  

Overarching Philosophical Questions  
Further Resources and Information  

4:20 p.m.  
Closing Questions and Recap of Discussion  

This informational handout was researched and written by Mike Popejoy, Philosophy, Coconino Community College, designed by Kaitlin Baker, Philosophy in the Public Interest, Visual Communications Major  

SPECIAL THANKS TO OUR PARTNERS, SUPPORTERS AND VENUE HOSTS!
The United States has seen a trend of rising numbers of citizens in prison, at a much higher rate than the growth of the general population. In 1980 there were 500,000 Americans in prison; by 2013 there were over 2.3 million. Currently, the United States locks up more people per capita than any other nation. Our rate of incarceration is 716 people out of every 100,000; the next highest rate is in Cuba, which is 510. By comparison, China’s rate is 121, Germany’s 79, and the lowest country rate is 16. This is all despite the fact that the US crime level is comparable to other stable, industrialized nations.

The state of Arizona is no exception to this general trend. Arizona’s rate of incarceration is higher than the US average, at 1,060 people out of every 100,000. Arizona is the 6th highest state in the US, making its incarceration rate higher than nearly everywhere else in the world. The Arizona prison population increased more than ten-fold from 1979 to 2010, also a rate significantly higher than population growth.

But these are just figures indicating increased numbers of people in prison and incarceration rates. Is there anything necessarily wrong with that? If so, what? And what might we do to combat this trend, both in the state of Arizona and in the country as a whole? Below are four potential options for the prison system in our state going forward, which also might be applied on a wider scale across the nation, as well as some over-arching philosophical questions. It is not the case that only one of these options is possible; they are not meant to be mutually exclusive. Please share your thoughts and reasoning with us on this issue of important community, state, and national concern.
## Continue to Expand the Prison System in Accordance with Current Policies

<table>
<thead>
<tr>
<th>Approach</th>
<th>Drawback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primarily do so with state-operated prisons.</td>
<td>This would increase governmental control in general, and potentially reduce the efficiency of the prison system and its administration.</td>
</tr>
<tr>
<td>Primarily do so by contracting with private prisons.</td>
<td>Privatization of prisons generally leads to more violence in prison, and can result in more time spent in prison due to conduct violations (and thus cost more money). Private prisons in Arizona are more costly per inmate than state-run prisons for equivalent services. Private prison corporations in Arizona also refuse to measure their recidivism rates.</td>
</tr>
</tbody>
</table>

Joe Arpaio on Tent City
# Reduce the Size of the Prison System by Changing Sentencing Policies

<table>
<thead>
<tr>
<th>Approach</th>
<th>Drawback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce the amount of time served by nonviolent, low-risk offenders.</td>
<td>This may act as less of a deterrent to committing those crimes in the first place.</td>
</tr>
<tr>
<td>Imprison less nonviolent, low-risk offenders through the use of non-prison alternatives.</td>
<td>Same concern: This may act as less of a deterrent to committing those crimes in the first place.</td>
</tr>
<tr>
<td>Get rid of mandatory minimum sentences.</td>
<td>A minimum sentence standard keeps judges honest and ensures consistency. Getting rid of such a standard could lead to corruption, and a lack of equity across the system.</td>
</tr>
<tr>
<td>Reduce some felonies to misdemeanors (e.g. nonviolent property theft, more minor drug crimes).</td>
<td>This may also act as less of a deterrent to these crimes; in addition, decriminalizing drugs could potentially have widespread negative effects on society more generally.</td>
</tr>
</tbody>
</table>
## Reduce the Size of the Prison System by Changing Parole and Probation Policies

### OPTION 3

<table>
<thead>
<tr>
<th>Approach</th>
<th>Drawback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institute “presumptive parole” - presuming inmates are eligible for parole, rather than requiring them to convince the parole board first.</td>
<td>This could lead to dangerous inmates getting released from prison before they should, or before what they deserve.</td>
</tr>
<tr>
<td>Institute alternative nonprison sanctions for violation of parole.</td>
<td>This would act as less of a deterrent for such violations, and could endanger the community by not putting offenders back in prison.</td>
</tr>
</tbody>
</table>

### Incarceration Rates

*Faced with growing prison populations, many states are looking at new ways of addressing criminal behavior. Each state’s incarcerated population includes people serving prison and jail time. Others are supervised through probation and parole. Hover over a state for more information.*

Stateline data visualization, January 2016 | Source: Bureau of Justice Statistics, 2014 estimates
## OPTION 4

### Reduce the Utilization of Private Prisons by the State

<table>
<thead>
<tr>
<th>Approach</th>
<th>Drawback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completely do away with private prisons.</td>
<td>This would place more of a burden on the state, and increase governmental control.</td>
</tr>
<tr>
<td>Employ private prisons to specialize in a particular kind of prison operation (e.g. maximum security).</td>
<td>This might lead to less efficiency in the overall operation of prisons, and might be detrimental to Arizona in the private prison market.</td>
</tr>
</tbody>
</table>

### OVERARCHING PHILOSOPHICAL QUESTIONS:

- Is the question of whether or not we have free will relevant to our prison practices?
- Is anyone beyond reform?
- Is the desire for revenge ever justified?
- What is the role of empathy when considering our prison practices?
- Should the purpose of prisons be retribution or rehabilitation?
- What should be considered “cruel and unusual punishment”? Should any forms of punishment be off the table completely (e.g. solitary confinement, death penalty)?
Arizona Department of Corrections

- Operates 10 prisons, 5 run by private prison companies (Florence, Kingman, Marana, Phoenix).
- Majority of private prisons run by The GEO Group (Florida-based).
  - Converted itself to a special real estate trust that is exempt from federal corporate income tax.
  - This lowered its tax rate by 30% or more.
- Arizona law requires all able-bodied inmates to work.
- Education programs are not offered to inmates who are undocumented immigrants.

Arizona Incarceration Data

- Arizona incarcerates 1,060 people out of every 100,000.
  - 6th highest state in the US.
  - Overall US rate is 716 (highest in the world).
  - Next highest country, Cuba, is 510.
  - 36 states and DC have a higher rate than Cuba (2nd highest country).
  - China’s rate is 121, Germany’s is 79.
  - Lowest country rate is 16.
  - The US crime level is comparable to other stable, industrialized nations.
- Underrepresentation of whites in Arizona prisons and jails – 58% of total population, 35% of incarcerated population.
- Overrepresentation of Hispanics – 30% of total, 41% of incarcerated.
- Overrepresentation of Blacks – 4% of total, 12% of incarcerated.
- Overrepresentation of Native Americans – 5% of total, 10% of incarcerated.
- In late 2014 Sheriff Joe Arpaio phased out in-person visitation in Maricopa County Jails.
  - Only video visitation is allowed, at a cost.
- The Arizona Prison population has gone from 3,377 in 1979 to 40,477 in 2010.
- In 2008, 1 in every 170 Arizonans was in prison.
- In 2011, 11.2% of the State General Fund budget went to the Department of Corrections, trailing only K-12 education and healthcare.
- 2009 DOC report – the state paid more per inmate in private prisons than for equivalent services in state-run prisons (private $55.89/inmate/day, state $48.13).
- Arizona requires judges to impose a “presumptive” sentence prescribed by statute for a given offense. This can be increased or decreased depending on the circumstances. Before 1978, judges had much wider discretion in sentencing.
- Arizona “truth in sentencing” (1993): abolished discretionary parole and required all inmates to serve at least 85% of their sentences in prison.
- At the beginning of this year Governor Ducey said rates of murder, assault and grand larceny are at “all-time lows.”
- Governor Ducey: “There are people that we are scared of that belong in prison…There are also people we are mad at that may not belong in prison.”