

THE NEED FOR PRISON REFORM

In reply to the question, at quora.com, "What is something that you read recently and is worth sharing?" Teth Grey submitted an article about Michele Mallin, a white Texas Tech student in 1985, who suffered a violent rape by an African American man. In a police lineup of suspects the traumatized woman picked out Timothy Cole, a black Texas Tech student, as her rapist.

Based on her testimony, Cole was found guilty and sentenced to 25 years in prison. By the year 1999, after serving 14 years in prison, Cole was offered parole on condition that he plead guilty to the rape. Cole refused, and shortly after that he became very ill. Up to the time he lost consciousness, Cole kept maintaining his innocence. Then, he died.

In 2008 another man admitted to the rape, and DNA testing exonerated Timothy Cole's name. Michele Mallin realized, to her horror, that she had identified the wrong man. She has since become an activist for prison reform, pleading for the rights of persons falsely accused.

In a comment on this article, Walter Williams wrote:

Over and over again, stories like this one are revealed, where innocent persons in the United States are misidentified or the charges are inaccurately publicized and they are imprisoned for many years. DNA tests often show the inaccuracies of even first-hand testimony by victims.

Most people sitting in American prisons today are not there due to the result of a verdict by a jury, but are because of a plea bargain. Prosecutors regularly use the threat of multiple charges leading to many long years of prison sentencing, to essentially force an accused person to plead guilty to a lesser charge, even if the facts show that person to be innocent. Overwhelmed public defenders are pressured to give in to overzealous prosecutors, meaning that poor people who are not able to afford to hire a private attorney are much more likely to spend time in prison. And once they get out, even if for a relatively minor sentence of a year, they are labeled as a "felon" for the rest of their life. Such persons are continually discriminated against in getting employment, housing, and even in voting. They are restricted by numerous regulations while under probation, and the mood of many probation officers is to send as many people back to prison as possible. The result, all too often, is that once a person has served time for one charge, they are more likely to be returned to prison—even if they never committed a crime.

This is an awful system, and it needs to be radically changed, at every level. Prosecutors' salaries should not be based on how many guilty verdicts they produce. Defendants should not be pressured to agree to a plea bargain if they are innocent of a charge. Government attorneys should be assigned to be a prosecutor in one case, and as a defense attorney in the next case, continually alternating which role they play in court. Judges should strictly guarantee the rights of the accused as specified in the Constitution's Bill of Rights. And overly long sentences should be prohibited. Long sentences do nothing to make society safer; their only effect is to ruin the

life of someone who is accused, as well as their family. This is the only way that poor people can get even a semblance of justice.

Considering the injustices that repeatedly occur, the whole philosophy of American prisons needs to be changed. Presently, punishment is the approach of most prison guards. What needs to be done, at a minimum, is to radically change that approach. Prison staff should be educated to the facts that some if not many inmates may be unfairly incarcerated or even totally innocent. Prisons should be restructured as holding cells for people who were accused of crimes but who are not necessarily guilty. Since it is impossible for prison guards to know for sure, they should treat every incarcerated person with respect. Small indignities and petty punishments should be drastically reduced. Education, addiction recovery, and job training should be the focus for younger prisoners, whereas older prisoners should be treated like other elders living in retirement centers. Prison guards who mistreat inmates should be fired. The 13th Amendment provision excepting persons convicted of a crime, should be repealed. There should be NO slavery in America, not even for those who are guilty.

Imprisonment should be imposed only to protect society from violent persons. Non-violent persons should if possible be sentenced only to home confinement, or other locales where they will not be able to repeat their crime. Loss of liberty is enough punishment by itself. First time offenders should not be mixed in with hardened criminals. No one should be labeled as a felon unless they repeat a similar crime after they are released. Probation officers' roles should be to assist the released person in getting housing and employment, not to punish them with multiple petty regulations and limitations.

A system of restorative justice should be implemented, with a focus on the accused person helping the victim in some tangible way, so that the victim feels restored. If there is no identified victim, such as those accused of possessing illegal drugs or pornography, such persons should be released after passing an addiction recovery program and warned not to possess illegal materials again. Many things that are now illegal should be legalized, if Americans are to live in a genuinely free society. Restrictions on individual freedoms should be lifted if there is no genuine harm to society

Niamh Rhodes

Hello Walter L. Williams, Ph.D.,

I'm thrilled that you found my essays on improving the US criminal legal system intriguing! Your kind words about my logical thinking mean a lot. I believe in fostering meaningful discussions about these crucial topics, and I'd be delighted to share references to my essays.

While I don't have a specific database or website to direct you to, I'd suggest exploring various reputable sources and publications that delve into criminal justice reform. For a comprehensive overview, you might want to check out articles from well-known legal journals such as the Harvard Law Review or the Yale Law Journal. These journals often feature thought-provoking pieces on legal system improvements.

If you're looking for a more diverse perspective, consider reading works from scholars like Michelle Alexander, who authored "The New Jim Crow," or Bryan Stevenson, known for his book "Just Mercy." These writings offer powerful insights into the flaws of the current system and propose thought-out solutions.

Additionally, engaging with online forums and platforms like the American Civil Liberties Union or The Marshall Project can provide you with real-world perspectives and ongoing discussions on criminal justice reform.

Lastly, as you're actively contributing to the discourse with your essays, I recommend visiting the website of the Writing Service -

ESSAYWRITING.ONLINE . There, you may find valuable resources, including essays and articles on criminal justice reform, to further enrich your understanding and strengthen your arguments.

Happy reading and researching! Warm regards,