

THE PRISON CRISIS IN ALABAMA

THERE is a prison crisis in America. In 1977 there were 300,000 people in prison in the United States, in 2001 over 2 million people are incarcerated. In the 1990s, as

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l a w m a k e r s campaigned to “get tough on crime” America built a new prison every two weeks and still could not meet the demand for prison beds. Today, over 6.5 million people in this country are in jail or prison, under probation, or on parole.

Alabama is experiencing one of the worst prison crises in the country. Our prison population has soared from 5500 in 1977 to over 26,000 today. The result has been overcrowded and dangerous prisons, a swelling population of non-violent and drug offenders serving lengthy prison terms, and county jails filled beyond capacity with state prisoners for whom no state prison space exists. Alabama can neither defend nor afford its total reliance on incarceration to manage social and medical problems.

Overcrowding

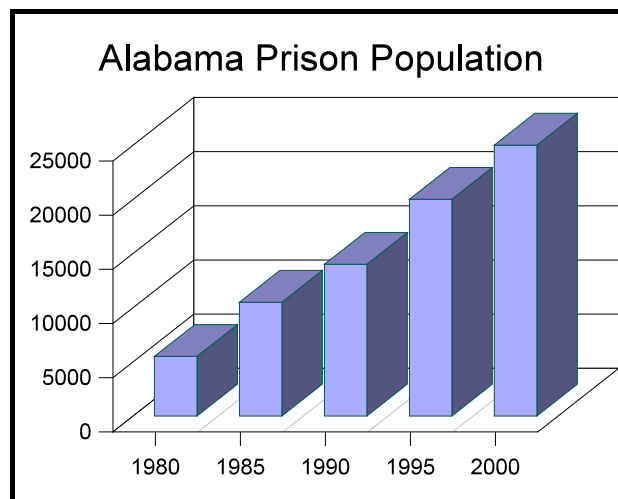
“On a regular basis, a single officer is left to guard 221 inmates, 228 inmates, or 324 inmates.”

Laube v. Haley, 2002 WL 31740387 (M.D. Ala. Dec. 2, 2002)

Alabama’s prisons are dangerously overcrowded. In one instance, a prison designed to hold 440 men housed over 1300. In one recent month the *l e a s t* overcrowded prison in the state was at 135% capacity. Inmates and guards alike express fear for personal safety

The entire prison system is “fast approaching a catastrophe in that every facility in this state is overcrowded.”

under such dangerous conditions. Prison wardens and state employee union officials have predicted riots and a federal judge described one prison as a “ticking time bomb.” At \$9,431 per inmate per year, Alabama spends less than any other state in the country and less than half the national average of \$20,000.



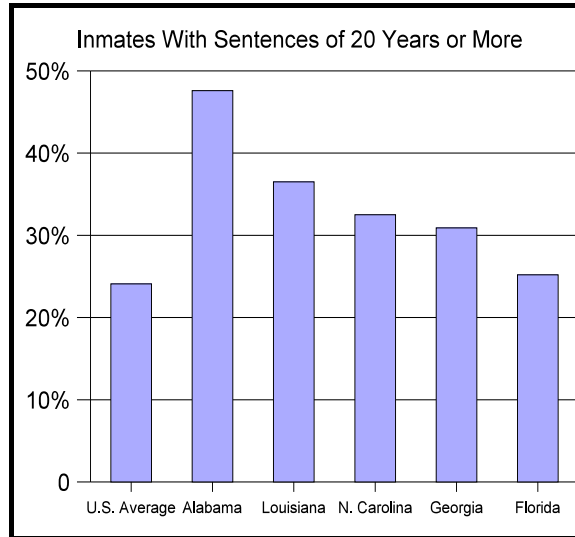
In a desperate attempt to minimize overcrowding, state prison officials have left inmates in county jails long past the legal limit. This is a decades-old problem in Alabama that has also created serious overcrowding and budget issues for local jails, often creating unconstitutional conditions of confinement. *On several occasions county sheriffs have “dumped” state inmates at state correctional facilities by literally leaving them handcuffed to the outside fence.*

Alabama is now under court order to remove state inmates from county jails and has been assessed fines in excess of \$2 million dollars.

Excessive Sentences

Over 8,000 inmates in Alabama were sentenced under the Habitual Felony Offender Act. This law allows for progressively longer sentences and relies on misdemeanor and nonviolent convictions to impose excessive sentences. As a result, the number of prisoners serving a term of life imprisonment has risen from 408 in 1990 to 3492 in 2002. In 2000, Alabama had the highest percentage in the

country (nearly 50%) of inmates serving a term of 20 years or more.



Each year Alabama lawmakers introduce bills calling for harsher and harsher penalties. All the while we struggle with a prison system which is dangerously overcrowded and a response to crime that is misguided and ineffective.

Many states have responded to the problems of prison overcrowding and budget shortfalls with a new willingness to reconsider approaches to public safety.

Arkansas, California, Idaho, Oregon and Texas have expanded the role of drug treatment as a sentencing alternative for low-level offenders. Three states (Louisiana, North Dakota, and Connecticut) have changed their laws so that only violent crimes are part of the habitual offender sentence and have reduced mandatory minimum sentences for drug offenses. Other states have increased the use of community corrections centers for non-violent offenders, and allowed early release and supervised parole for elderly and chronically ill inmates.

Alabama must come to terms with the desperate need for more informed and effective responses to crime and social ills. A crumbling, overcrowded, cruel and dangerous prison system serves neither the public nor the offender.

Under the Habitual Offender Act, Jerald Sanders was sentenced to life imprisonment without parole for stealing a bicycle.

