

# U.S. prisons 'bursting at seams'

Second of three parts  
By Carol Azizian  
staff writer

Denmark's Ringe prison looks more like a modern condominium or apartment complex than a correctional facility.

There, young men and women who have committed violent crimes walk freely from cell to cell, buy their own food and do their own banking. Each cell unit has its own kitchen and dining room.

Prisoners are paid for carpentry work in a factory. Neither prisoners nor guards wear uniforms. Male and female prisoners are allowed to live together, even marry and have children. Although prisoners have relatively great freedom inside the prison walls, they are well aware of the limits of this freedom. The maximum security prison is virtually escape-proof.

American prison officials may learn a valuable lesson from the Ringe model, according to Alvin J. Bronstein, executive director of the American Civil Liberties Union National Prison Project.

"I've been to Ringe, and it's working as a decent, humane place to house inmates. I think that kind of thing is possible in the United States," Bronstein told participants at a recent conference on "Victims and Inmates Rights." The conference at Mercy College, Detroit, was sponsored by the American Jewish Committee.

American prison officials and courts, however, are just beginning to come to grips with problems of overcrowding.

unsanitary conditions and inhumane treatment, said Bronstein, a pioneer in prisoners' rights litigation.

That's because, until 20 years ago, there was "no concept of prisoners' rights," he said. The courts espoused a "hands off" doctrine which virtually gave administrators a free hand in running prisons.

AFTER THE civil rights movement gained momentum, courts began intervening in cases involving prisoners' rights.

During the late 1950s and early 1960s, courts focused on narrow issues or specific cases, Bronstein said.

Courts addressed religious rights of prisoners, such as the right of an Orthodox Jew to have a pork-free diet. They dealt with specific cases of cruel and unusual punishment, such as attaching exposed wires of the so-called Tucker telephone to a prisoner's genitals as a method of shock treatment.

As a growing number of professional, legal aid societies and prisoners' rights organizations pushed for broader reforms, more sweeping changes were made.

Courts began to take into consideration the totality of conditions — prison violence, inadequate mental health care, environmental health and safety and overcrowding.

"If attorneys could show that prison conditions were actually debilitating people, then the courts would consider that a violation of Eighth Amendment Rights."

SINCE THE 1970s, courts across the country have been ordering prisons to

reduce overcrowding and improve conditions. Last year, court orders were issued in some 31 states.

The jails in both Wayne and Oakland counties have been hit by suits from inmates. Court orders now govern inmate populations, exercise, physical and mental health care and classification of inmates.

Colorado courts have taken the most dramatic step toward guaranteeing Eighth Amendment rights to prisoners, Bronstein said: Cruel and unusual punishment, under that court ruling, must be eliminated by ensuring that all prisoners engage in productive activity, have sufficient cell space and adequate treatment for mental and physical health problems. Guards must not be overworked in order to avoid potentially stressful or violent encounters between staff and inmates.

Despite the numerous court rulings, American prisons are still "bursting at the seams," Bronstein said.

He called Michigan a "fortunate exception" because of a state law requiring early release of less dangerous prisoners when prison populations become too high.

CONDITIONS were so bad that, in 1981, riots broke out at prisons in Michigan, Iowa, Florida, Tennessee, Connecticut, Pennsylvania, South Dakota, Texas and North Carolina.

"We lock up more people per capita (250 per 100,000) than every other country in the world with the exception

of South Africa and the Soviet Union," Bronstein said.

Prison sentences are longer in the United States than in any other country. In the U.S., the average sentence is three years. In Great Britain and Canada, it's one year.

Some 37 states have mandatory sentence laws which require that certain classes of felons be given long prison sentences with little or no chance of parole.

BUT THERE is no correlation between longer prison sentences and reducing the crime rate, Bronstein said.

The crime rate in the United States is similar to that in most western European countries. However, the homicide rate is higher in the United States because handguns are available here and not in European countries, he said.

The majority of inmates housed in American prisons are not "dangerous criminals," Bronstein added.

"We lock up non-violent offenders in maximum security prisons which are programmed to create problems because they're oppressive."

"American prisons are not only 'unconstitutional,' they're uncivilized," Bronstein said. "When a young first offender is locked up and then gang-raped, that's uncivilized."

DESPITE COUNTLESS horror stories, many persons behind prison bars should be denied rights guaranteed to other citizens, Bronstein said.

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## MADD to hear district judge

Mothers Against Drunk Drivers (MADD) will meet at 7:30 p.m. Monday, April 18, in Central United Methodist Church, 3882 Highland Road in Pontiac.

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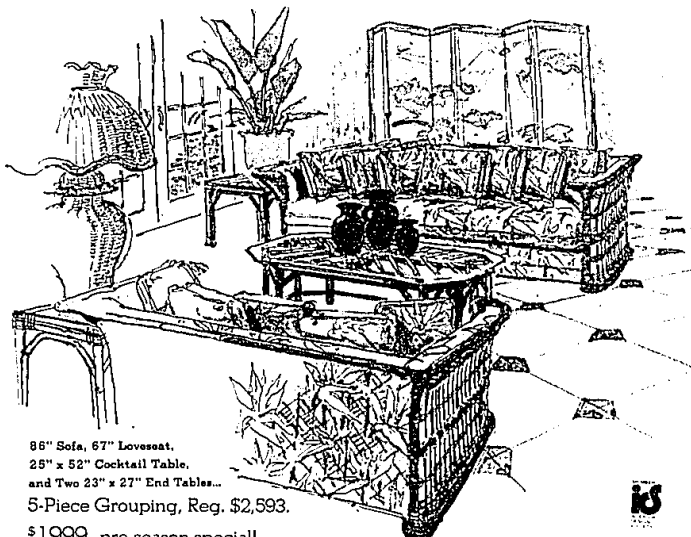
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