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Instead of Incarceration

The mighty United States of America, in its human rights righteousness, wags its shaming finger at the rest of the world while hiding the fact that it is home to only 5% of the world's population but a staggering 25% of its prisoners. We have by far the most punitive laws and equally harsh criminal justice system in the world, yet violent crime is again spiraling out of control. Our response? We react with fear and hatred while forgetting the failures of our past. Like a blood-thirsty mob out for revenge, we demand to go back into the tough-on-crime era and try to incarcerate our way out of our problems.

Incarcerate! Incarcerate! Incarcerate! The pulsating chant of such a hateful sentiment has been pounded into our nation's collective psyche by the news, television, entertainment, social media, and capricious politicians ad nauseum. Our culture is attracted to it like flies to feces and we feed on it like addicts feed on Meth or Crack. Then we wonder why there is so much violence and why our criminal justice system is so broken. Our addiction keeps us always looking for something more appalling, more egregious, more violent, and more deadly in order to give us our next "high."

We are an adolescent nation whose time has come to stop being so emotional, and grow up. We must start managing social deviance like an adult, rather than react to it like a teenager and risk social suicide.

Hatred, extremism, and greed combined with a rising fear of gang violence, drugs, gun violence, and sexual deviance have ushered in radical laws, corruption, police brutality, false convictions, and the prison industrial complex. Politicians respond to the media's sensationalization of crime by weaponizing this fear. They grandstand draconian tough-on-crime laws such as 3-Strikes and mandatory minimum sentences to get re-elected while deliberately ignoring the long-term destruction such nefarious laws cause.

The need to punish and take revenge against those who commit crimes has blinded us to reason and has evolved into the principle purpose for our laws and criminal justice system. Justice with mercy, redemption, amends, and restoration are drowned out by the vitriol of those who, in hatred, demand

"justice!" and label the accused as if they were the crime. He's a "Murderer," "Gang Member," "Child Molester," "Drug Addict," "Rapist," or just "Criminal." These self-fulfilling prophecies have been proven to increase recidivism. Then, when one person re-offends among hundreds of those who don't, alarmists trip over themselves to say, "See! Reform doesn't work!"

Lies Told, Secrets Kept

The biggest lie that our legal system promotes - one that we all know is a lie but pretend to believe it - is that the accused are innocent until proven guilty. This is an absolute prevarication, a subterfuge created to give ourselves a sense of social morality. Our nation's conviction rate has remained around 97% for the past thirty years. People in jail (who are supposed to be presumed innocent) are treated like animals. They have an extreme disadvantage at trial, which is anything but "fair." Prosecutors are armed with thousands of laws with ridiculous sentences to ensure their success. They use these sentences to force plea deals from defendants, regardless of their guilt. Many are in fact innocent, but out of sheer terror of the prosecutor's threat of a much worse sentence, give up their constitutional right of due process (a trial) and concede to a plea deal. This way, district attorneys are able to churn out conviction after conviction with jaw-dropping efficiency, only to get re-elected.

Police and corrections officers have "qualified immunity," and prosecutors have "Absolute judicial immunity" meaning they have been given protection from personal liability for wrongful behavior. In the rare occasion when they have been caught doing something egregious, our government comes to their rescue indemnifying them of all culpability. Secret settlements are made by our government to pay millions of taxpayer dollars to their victims, who are forced to keep it a secret.

The police and corrections officers have rarely been held to account for excessive force or corruption. When they are accused of such things they will invariably deny it, and in the case of excessive force, will use their trump card saying they feared for their life. Their excessively powerful unions and fellow officers will "circle the wagon" to protect their own at all costs. As a result, a dangerous culture of impunity and entitlement has been deeply ingrained into both police and corrections, resulting in behavior that is often much worse than from the people they control.

Gang violence is not a function of race or availability of guns. It's a

function of circumstances. Poverty, limited opportunity, broken families, lack of good education, and systemic racism give young people from inner cities virtually no other option but to join gangs in order to survive. These are our youth and our children who are trying to survive in a society that we created.

Instead of Repeating Our Mistakes

It is insanity to continue doing something that does not work. So, instead of trying to re-create the wheel and learn how to control crime on the fly, repeating mistakes, let's learn how successful countries have controlled their crimes; countries who have had thousands of years to get it right, and consequently, have a fraction of our crime rate.

Instead of villianizing those who have trouble conforming to social rules and label them as criminals, let's try seeing them as people who need help; that their behavior is mostly a function of their circumstances, not a function of a violent or reprobate mind. Our society created those circumstances, so let's take responsibility for them!

Instead of creating draconian laws that excessively punish ourselves and give prosecutors an extremely unfair advantage, let's create fair sentencing guidelines that limit prosecutor's abuse of plea bargaining.

Instead of perpetuating those draconian laws and weaponizing our criminal justice system to enact vengeance and retribution, let's reform them to provide "justice with mercy": to deter, protect, rehabilitate, and heal - everyone.

Instead of kicking uneducated, unskilled, and immature juveniles into adulthood to just "figure it out," let's consider requiring all 18 year-old men to spend their first two years full-time in either the military or collage. The short and long-term benefits to individuals, families, and society would be immeasurable.

Instead of letting out all offenders early and others never to be let out at all, let's recognize that all people are redeemable, but not all are ready to be released. Let's expand the parole board process to include determinate, as well as indeterminate, sentences.

Instead of keeping inner cities impoverished with few job opportunities, let's reimagine what can be done to revitalize neighborhoods, old buildings, and factories without increasing the cost of living. Let's invest in new

schools that teach Occupational and Industrial Arts, and cutting-edge skills like coding, green industries, and STEM.¹

Instead of defunding the police, let's train them to be compassionate protectors of everyone, including the offenders themselves. Let's increase inconspicuous community police presence who are recruited from the areas they protect.

Instead of giving immunity to prosecutors, police and correctional officers, let them be personally responsible for breaking the law or abusing their authority. This can only be done if unions and prosecutors' power and authority are reduced.

Instead of allowing police and prison systems to monitor themselves against corruption, let's create completely independent agencies that ensure proper training and officers are held accountable for their actions.

A House Divided

Our country is actively killing itself, not from rising violence, but from its overreaction to it. "Lock 'em up!" We growl with gritted teeth like ravenous wolves that snap at its prey. But this prey are our own people; our families, friends, community members, and citizens. Such insidious hatred kills from the inside as it feeds on itself. If this does not stop, the most powerful nation in the world will most certainly fall, not at the hands of China, Russia, Iran, or even global warming, but from itself. Instead of wantonly overreacting to crime, let's control our responses, learn from our past, and apply science-based solutions.

Truly, a house divided cannot stand. If our nation has any hope of surviving this epoch of vicious divisiveness we must manage our social problems cooperatively, instead of using them as weapons for political advantage. If we see deviance as an impetus for change, instead of an object to fear and hate, we can grow into a nation of true justice; one with mercy, unity, and strength.

¹STEM: Science, Technology, Engineering, and Math