

Abolition Corner: Prisons Do Not Make Us Safer

The Reality of Punitive Justice

If you were raised in the United States, it's likely that you were also raised (through culture, media, etc.) to believe in punitive justice. Punitive justice causes us to focus on and blame individuals who are accused of causing harm during an individual instance, and frames justice as a revenge based punishment for that action. We see this in our legal system. **This approach does not provide any true accountability, address the root causes of harm, consider why that person perpetrated harm, or prevent future harms.**

Regardless, we are told incarceration makes us safer, that we need prisons to keep us safe in three main ways: 1) deterring crime and harm, 2) incapacitating/isolating people who cause harm away from society, and by 3) providing justice to survivors. We do need tools that work to prevent, minimize, and respond to harm, but incarceration doesn't work or address this. Let's walk through how prisons do not (& cannot) make us safer by deterring crime, incapacitating people who caused harm, or by providing justice to survivors of harm.

Incarceration Does Not Deter Harm or Crime

Punitive justice asserts the false idea that incarceration deters harm. The argument is that we lock people up to prevent future crime.

If incarceration deterred harm or crime, with 2.3 million people incarcerated in the United States, we would be the safest country ever! All the harm would be deterred! But it isn't.

Deterrence proposes that people will consider consequences and be discouraged from doing an action. Most people do not think about punishment before causing harm or a crime, it is almost always an afterthought. Most people act impulsively, in the heat of the moment, or are unaware of the penalty for their action. Some studies show up to 80% of crime is committed under the influence of drugs or alcohol ([NY Times, 1998, Drugs or Alcohol Linked to 80% of Inmates](#)). Surveys conducted by [Initiate Justice](#) support the conclusion that incarceration has not deterred people from harming or committing crime. Instead of being deterred by punishment, people point to resources that would have prevented them from causing harm or crimes. Other studies show one-third of people who caused harm did not think

of a penalty at all, another third thought the penalty would be far less, and the last third were indifferent to potential consequences (Paraphrased Danielle Sered. *Until We Reckon: Violence, Mass Incarceration, and a Road to Repair*, page 61). Again this shows irrational, heat of the moment impulsivity without reflection rather than planned, rational thinking. In other words, the threat of incarceration as punishment was not a deterrent to their decisions.

Additionally, the deterrence model assumes people have alternative ways to get the things they need. If you are desperate, struggling with addiction, or without resources, the deterrent model will most likely not impact your behavior. People continue the behavior because they see no legal alternative, no way to get what they need legally.

There is also the idea that incarceration deters individuals who caused harm from harming again in the future through punishment. This is not the case. In the next section we'll explore how most people who cause harm aren't actually incarcerated, but for people who are, studies show incarceration doesn't prevent future crime and harm – it causes them! ([Vera Institute of Justice](#)). In fact, since the 60s & 70s, criminologists have concluded prisons do not significantly deter crime. In 1973, The National Advisory Commission on Criminal Justice Standards and Goals found, "the prison, the reformative and the jail had achieved only a shocking record failure. There is overwhelming evidence that these institutions create crime rather than prevent it."

Incarceration Does Not Make Us Safer by Incapacitating People Who Commit Harm

It is a widespread idea that incarceration keeps us safe by incapacitating people who cause harm. The idea behind incapacitation is prison isolates harm doers away from the public, preventing them from causing more harm, but this is blatantly false.

Incarceration doesn't effectively incapacitate people who caused harm or crime because most people who cause harm aren't actually locked up. Currently, incarceration actually only addresses a quarter of violent instances. Over half (52%) of violent crimes in the U.S. go unreported. Of those that are reported, less than half result in arrest and less than half of those arrests result in conviction. This means our system only addresses less than 1/4th of instances of harm with incarceration. (Victoria Law, *Prisons*

Make Us Safer and 20 Other Myths about Mass Incarceration, page 23). According to the number one anti-sexual violence organization, Rape, Abuse, Incest, National, Network (RAINN), the number falls to less than 1% when looking at instances of rape or attempted rape. This shows prison does not actually isolate people who caused harm away from the public.

Even if we did incarcerate everyone who caused harm, this would only be revenge, not accountability or justice.

For those who are incarcerated, their removal from society may provide some short term relief for a survivor, but it does not actually center the survivor, provide healing, or create long term safety. "Society thinks people enter prison and leave better. But it's the opposite" (Victoria Law, *Prisons Make Us Safer and 20 Other Myths About Mass Incarceration*, page 25). And as mentioned earlier, studies show that incarceration in fact causes crime and harm. A person is more likely to engage in crime after experiencing the pain of incarceration due to the lasting trauma and collateral consequences. **Any healing that happens in prison is despite prison not because of prison.**

Incarceration Does Not Provide Justice for Survivors or Victims

Again, less than half of violent crimes are reported. People don't report for different reasons but one thing they all have in common is that the system does not serve them. When people come from marginalized communities, they are more likely to be subjected to negative experiences with our legal system - they do not feel comfortable reporting. When you've seen a system harm your community you know you can't turn to it for safety or protection. If people from marginalized communities do report, they're often criminalized for it or other things.

Those who do engage with the system are often subjected to additional trauma. "At least 89 percent of victims report some level of distress, including high rates of physical injury, post-traumatic stress disorder, depression, anxiety and substance abuse" from involving the criminal legal system (Justice Dept).

Additionally, not every survivor wants punitive measures, it's just all we offer. Our current systems offer no restorative or transformative justice, amends, or accountability. Only revenge in the name of justice.

When thinking about how incarceration does not create safety by providing justice for survivors of harm or crime, it's important we ask ourselves: who is a survivor? The recent awareness, increased advocacy, sympathy, and empathy for survivors of harm is frequently withdrawn if society discovers that they have also committed harm or crime. People who have caused harm are often seen as unworthy of claiming the title of victim or survivor simply because they have caused harm themselves. The egregious idea here is if you are a "criminal" you are not a worthy survivor.

We know intergenerational trauma creates generations of harm and being harmed often leads people to cause harm. Despite this, our current system creates a false dichotomy between the "good victim" and the "non-victim criminal". Survivors who are criminalized are not recognized as people in need of support and advocacy. Nearly 60% of incarcerated women nationwide, and up to 94% in some prisons, are survivors of violence themselves (*Survived and Punished*).

In Short: Prisons Do Not & Cannot Make Us Safe

We've seen that punitive punishment through incarceration does not and cannot work for safety. The false idea that prisons keep us safe by deterring crime, incapacitating people through isolation from society, and providing justice for survivors is embraced by our society, schools, TV shows etc., but it is not the reality.

We must accept this truth: prisons do not make us safer. Abolition is building new systems that create true safety for all and justice possibilities outside of incarceration.

Abolition Corner's approach to these topics is guided by *Prisons Make Us Safer And 20 Other Myths About Mass Incarceration* by Victoria Law and other sources gathered by [Initiate Justice's](#) Policy Analyst, Sarah Rigney. Written by Sarah Rigney. Edited by Michelle Cárdenas. Please request permission before reprinting.



Abolition Corner is a companion space to Initiate Justice's podcast, *Abolition is for Everybody*. This year, we will spend a few minutes in the beginning of each session demystifying a commonly upheld myth about incarceration before having a friendly, open conversation.

To RSVP and for more information: InitiateJustice.org/AbolitionCorner