



HUMANIZING AMERICAN  
JAILS AND PRISONS:  
AN INTERNATIONAL SUMMIT

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## Shrinking Jails, Improving Conditions Inside Them: There's No Zero Sum

by Matt Watkins and Joanna Weill

Across the country, the movement to reduce jail populations, close ageing and often decrepit facilities, and build alternatives to incarceration has scored a series of notable victories. But where the tide of confinement has receded, it has exposed a significant tension: what to do about the people still behind bars? Can working to improve their conditions of confinement be done in tandem with the effort to stem the flow of people into the facilities detaining them?

Some activists posit a zero-sum relationship between these goals: improving conditions in jails means devoting more resources to an already bloated and unjust system, making it that much harder to reduce or eliminate the reliance on incarceration. They point especially to the massive investments necessitated when the campaign to improve conditions leads to the construction of reconceived, replacement jails.

For others, the urgency of countering incarceration can't be used as justification for leaving people languishing in deplorable conditions. For example, among the facilities slated to close under New York City's \$8.7 billion plan to replace its notorious Rikers Island complex is "The Boat," a floating, near-windowless jail barge holding up to 800 people. One person

« *I went to jail broken one way, and came home broken in other ways.*  
— James Jeter, Justice Fellow, Propel Capital

Top Photo: Marilyn Mosby, State's Attorney, Baltimore City, at the Center for Court Innovation

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who has experienced it compared it to “a modern-day slave ship owned by the City of New York.”<sup>1</sup>

At the Center for Court Innovation we are committed to both the long-term goal of reducing incarceration *and* humanizing confinement in the here and now.

### Conditions of Confinement: A Convening

In June 2019, with the support of the David Rockefeller Fund and the Langeloth Foundation, we brought together an international group of policymakers, jail and prison administrators, prosecutors, researchers, and others for a two-day summit, ‘Humanizing American Jails and Prisons.’ The conversations were intended to address the obstacles this work faces in the United States—as Baltimore State’s Attorney Marilyn Mosby framed it, “we should really be asking the question: why are we dehumanizing individuals that are humans?”—and identify themes to guide reform.

Many of the participants argued that the goals of decarceration and improving confinement conditions need to be pursued in conjunction. Continuing to critically assess who we incarcerate, why, and for how long will contribute to changing conditions both inside facilities, and outside of them, where more public focus needs to be directed at what kind of “safety” jails and prisons are producing, and for whom.

For Tshaka Barrows, chief executive officer at the Burns Institute, when used as a rationale for jails and prisons, “public safety” is a misnomer, obscuring a historical project of keeping some groups of Americans “safe” from other groups. While he doesn’t downplay the importance of improving conditions behind bars—what he calls “humanizing the endgame”—Barrows wants far more focus on the decisions that come *before* someone is imprisoned.



Tshaka Barrows (right), Chief Executive Officer, The W. Haywood Burns Institute, and Julian Adler, Director of Policy and Research, Center for Court Innovation



James Jeter, Justice Fellow, Propel Capital

A theme throughout the convening was the need to transform the culture inside facilities of confinement. There were calls for better training of corrections staff, and for more thought being put into hiring, but also a recognition of the limitations and constraints in this area.

For James Jeter, a justice fellow at Propel Capital, who spent two decades incarcerated, staffing alone doesn't solve problems of culture: "I went to jail broken one way, and came home broken in other ways," he told the group. Changing that for others, he said, means changing more than just the nature of the punishment net thrown over people when all the other systems of social support have failed.

Prisons are run by consent, not coercion, Dutch prison director Toon Molleman told the group. He calls this principle "relational safety": the more staff have personal relationships with the people incarcerated, the safer and less restrictive carceral institutions become.

While the two days of discussion could only scratch the surface of a problem with roots buried deep in American society and history, an overarching recommendation was to "open up" America's carceral institutions; open them up to greater public scrutiny and involvement, and to the voices of those with direct experience of them. People who have been incarcerated, and correctional leaders, need to be brought into every level of the conversation around reform and a more wholesale transformation of how America punishes. There is much this country can learn from facilities in Europe, but the first stop should be the lived experience of the American justice system.

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<sup>1</sup>'A Floating Jail Was Supposed to Be Temporary. That Was 27 Years Ago.'  
*The New York Times*, October 10, 2019.