THE MEDIA, SOCIAL LEARNING THEORY, AND DECARCERATION: AN ANALYSIS

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INTRODUCTION AND BACKGROUND

- Mass incarceration has led to overcrowding and many other issues
- Many states face financial issues because of their prison population
- Decarceration is a that could undo the effects of mass incarceration—but it is happening at a very slow pace
  - Why?
THE MEDIA

• The media presents narrow, homogenetic views that sensationalize crime
• Politicians follow their lead by echoing these sensationalized views and calling for tough on crime policies
• The media has played a part in support for tough on crime policies before—decarceration is no different
SOCIAL LEARNING THEORY AND THE MEDIA

• Overview
  • Differential Association
    • Individuals associate with media outlets
  • Definitions
    • Individuals acquire different definitions depending on the media outlets with which they choose to associate
  • Differential Reinforcement
    • Media operates based on the positive or negative reinforcement that it receives from the public
      • i.e. reports on negative stories because it gets the most attention
  • Imitation
    • Individuals consume and imitate this negative content
      • i.e. spread the message that crime, especially violent crime, is more common than it is
SOCIAL LEARNING THEORY AND THE MEDIA

• The media essentially becomes a pseudo person by which individuals learn from and imitate
  • Sensationalized crime creates a fearful public
    • Hence, why there’s not a lot of public support for decarceration policy
DECARCERATION (WHAT IT COULD LOOK LIKE)

• There is hope for decarceration despite the media
  • Evidence shows today’s electorate is less punitive than older generations and, if the trend continues, future generations will be even less punitive
• Many have presented theories on how decarceration could work if done on a large scale in order to make real progress
DECARCERATION METHODS: ELECTORAL PROCESS/POLICYMAKER SOLUTION

• Politicians echo the media’s sensationalism of crime and push for tough-on-crime policies to get elected
  • The road to reform is bleak unless politicians get on board with soft-on-crime policies

• Suggested solution: Board of policymakers insulated from public opinion that make policy decisions not politicians
  • Empirically sound policy that has been proven or projected to be effective
  • Balance public safety and the need for decarceration
DECARCERATION METHODS: BIFURCATED SENTENCING

- Individuals would not be placed in state prisons for offenses that include property, drug, or immigration crimes
  - They would be eligible for a number of other sanctions, including probation and GPS monitoring
- Penalties for crimes should be reduced across the board
  - This could include suggestions like reducing the current penalty for theft from 0-18 months in jail to strictly 0 months in jail with an alternate sanction
  - ***altering current sentencing guidelines does not mean that they cannot be raised or lowered based upon aggravating or mitigating factors.***
DECARCERATION METHODS: STREET DIVERSION

• Involves diverting drug offenders into treatment programs rather than arresting and prosecuting them for an offense
  • regain the community caretaker role and take a public health approach to drug offending on the street

• Disqualifications include:
  • possession with the intent to deliver, the amount of drugs found on the individual is more than 3 grams, the individual is corrupting minors or promoting prostitution, the individual has a history of felonies, or does not appear to be amenable to rehabilitation.
DECARcerATION METHODS: SPECIALIZED COURTS

• Decarceration courts aim to reduce incarceration by connecting offenders with social services like job training, mental health services, neighborhood programs, etc.
  • These institutions would then assume supervision over these individuals as well as the courts

• Its theory operates on the idea that the more individuals are connected to their social surroundings, the less likely they are to recidivate

• Even those charged with serious felonies could be eligible for this diversionary court
COVID-19: A MODERN PROBLEM SPIKING PROGRESS IN DECARCERATION

• The COVID-19 pandemic is causing a rise in decarceration
  • Prisons are essentially the worst places this can happen—people are afraid for the safety of both correctional facility workers and inmates
• Many states are releasing hundreds to thousands of inmates
POTENTIAL PROBLEMS

• The pandemic is essentially a test of decarceration and its effectiveness
  • If there is an increase in crime, or if any violent crimes are committed by an individual who was released due to the pandemic, the public’s support for decarceration could significantly decrease

• However, there is not a way to say that an increase in crime is a direct result of releasing individuals from prison
  • Due to the quarantine, there are many other reasons that an increase of crime could result (i.e. domestic violence due to being inside with partners, so many unemployed so more time to commit crime, etc.)
    • The public probably will not take this into account when evaluating decarceration if a violent crime occurs, however.
CONCLUSION

• Despite the recent increase in decarceration due to the COVID-19 pandemic, this is still not enough progress

• In addition, there is no guarantee that the releases or measures being taken to keep prison populations low will continue after the pandemic’s effects decrease

• A combination of the decarceration methods provided above could contribute to a meaningful increase in decarceration—one that would benefit states greatly financially and free up resources to support other programs like education