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*The Professionalization of Crime:
How Prisons Create More Criminals*

The United States currently has about seven million people incarcerated or under probation (Johnson 1). In view of certain factors, like the fact that the US is a developed country and a world power, one might expect the nation to have a low crime rate, but these statistics prove to be one of the highest rates in the world. Therefore, one must ask why the high incarceration rate does not seem to have an impact on crime rate. A theory developed to explain this unexpected outcome identifies the problem as ‘the professionalization of crime’. As stated in a blog post from *The Nation*, this theory states that criminals actually leave prison with abilities that allow them to become better criminals, rather than being reformed (1). Experts believe that typical aspects of prison life such as violence and the need for protection, or even things such as simply allowing prisoners to mingle can contribute to the professionalization of crime. With all of these things considered, there are serious problems within the correctional system in the United States, which are making criminals smarter, and thus making the system less effective.

The professionalization of crime does not occur in all criminal cases, but there is no doubt that it is taking place within the US prison system. Due to the fact that there is no way to measure how skilled a criminal is before or after they have left prison, specialists who have attempted to study this topic have always found mixed results. In addition, even if a social scientist were to quantify the level of skill, it would still be nearly impossible to select a potential criminal, and study him before, during, and after incarceration. Yet there are

some people who have come up with quantifiable ways to measure this, such as Daniel T. Hutcherson II, a sociology professor from Ohio University. Hutcherson conducted a survey of criminals who had been to prison, focusing on how much illegal money they made before and after going to prison. He found that most criminals were actually making more money after they had left prison: “Spending time in prison leads to increased criminal earnings,” Hutcherson says. Additionally, “on average, a person can make roughly \$11,000 more [illegally] from spending time in prison versus a person who does not spend time in prison” (Vendatam 1). Many criminals return to their old way of life after leaving prison, continuing their old criminal lifestyle rather than adopting a legal route to financial success. This situation can create a huge problem for the correctional system in the United States.

The fact that criminals only seem to get better at illegal activity after leaving prison leads to the potential continuation of committing crime, in turn creating problems within the correctional system. The main goal of the correctional system is to reform prisoners, to help them realize what they did was wrong and that to do it again would be a mistake. Yet by allowing criminals to make connections and learn valuable skills the correctional system is not meeting this goal. The statistics also prove it, criminals continue to commit crimes, and therefore continue to be arrested. In the United States, an astounding four out of every ten prisoners released return to jail in their lifetimes. While that number may seem low, it is extremely high compared to other countries (Johnson 1). Therefore it is clear the prisons are not meeting their goal, and by setting up criminals to return to prison, prisons become overcrowded and assume an extra financial burden. In addition, a question that must be addressed deals with those who are not career criminals and those who commit non-violent offenses. These people are only serving a short term, and most do not likely

have a crime filled past. A study by Amy Lerman indicates that amongst those who did not have a serious criminal background, those who returned to prison were on average more likely to return for a graver offense (164). Since the prisons in the US are typically overpopulated, and since more criminals continue to commit crimes once they leave prison, there seems to be no way to solve this perpetuating problem.

Prison conditions prove to be a major determinant of whether one is more likely to become a professionalized criminal, since they provide an environment in which prisoners can socialize with each other. With prisoners being stuck inside such a small space for years, there is plenty to talk about and there is no doubt that crime and techniques will come up in conversation amongst the prisoners. The worst part of this is that it yields the creation of gangs within prisons. Gangs have established a serious presence within prisons across the United States, and because of this the social structure is now changing. In his article, Loïc Wacquant claims that, “ethnically based street gangs and “super gangs” such as the Disciples, El Rukn, Vice Lords... have taken over the illicit prison economy and destabilized the entire social system of inmates, forcing a shift from “doing your own time” to “doing gang time” (307). Gangs now almost seem to force people to interact with them in prisons, and as one interacts with gangs, one can learn more about illegal activity. In addition, allowing gangs to intermingle with each other may increase violence within a prison, but there is no doubt they will learn more from each other. Obviously prohibiting prisoner interaction is inhumane; therefore, prisons must create another way to slow the spreading of criminal material. What can be worked on though is limiting the influence of prison gangs.

Prison gangs have become a huge problem throughout the correctional system, especially when it comes to the sharing of criminal techniques. Gangs

have a huge impact in prisons due to the apparent violent life within America's prisons. A prisoner beginning to serve his first sentence only knows a few people, if any, and is likely to be a loner in prison. This can lead him to be the target of prison violence or even rape, with no one to come to his aid. Studies on the effects of gangs on prison life note: "In 1983 there were 88 confirmations reported by ten agencies between gang members and non gang members... Thirty-one confrontations between gang [members] were reported" (Camp 51). Therefore, if one were serving a long prison sentence, it would make sense to join a gang. Whether one is in prison for a drug related non-violent crime or murder, a gang offers protection as well as camaraderie. Gang membership may therefore be practically beneficial. It appears also to be unavoidable, now that "[t]he old 'hero' of the prison world—the 'right guy'—has been replaced by outlaws and gang members," who have "raised toughness and mercilessness to the top of prisoners' value systems" (Wacquant 307). Both of Wacquant's quotes demonstrate that one can no longer plan on keeping to themselves and run out their sentence. Gang members will always try to interact with non-gang members, and possibly harm them. By joining a gang, one gains protection, but also begins to interact with hardened career criminals who know a lot about the criminal world. This can easily turn a non-violent offender into a serious criminal when he is released from prison, especially if he has difficulty finding a job (Alexander 6). While it is nearly impossible to regulate the social interaction of prisoners, it is much more feasible to end the influence of gangs in prison. By creating a much smaller presence of gangs within prisons, prisoners would no longer need to join them for protection, thus slowing the flow of criminal information and halting the professionalization of crime.

It is not just prisons themselves that bring criminals into contact with more professional criminal knowledge; *where they live* can have an impact as

well. Statistics indicate that people from lower class, under developed neighborhoods are incarcerated at much higher rates. When these prisoners are released, they need support to begin their new life, and the prison system tends to send them right back to the conditions they were previously in, those “ghetto” neighborhoods dominated by adverse socioeconomic circumstances. According to Loïc Wacquant these ghettos “now store a surplus population devoid of market utility, in which respect it also increasingly resembles the prison system” (304). The areas where prisoners might live are mostly empty of jobs, and in order to make a decent living, their only possibility is often gang involvement, especially the sale of drugs. Drugs in turn entail more violence, as gangs clash in turf war conflicts which could cause many convicts to return to prison (Skolnick 1). Not only may this be criminal’s only option in a search for income, but also it may be his best, as connections established in prison can lead to easy money, especially after being released from prison.

In addition to the lack of work in the ghettos, released convicts will also find it much harder to function in society, due to the stigma that is associated with being an ex-con. This stigma accompanies the convict wherever he goes; it appears when they go to take a loan, or when they want to apply for a job. As one prisoner put it:

[W]hen I leave here it will be very difficult for me in the sense that I’m a felon. That I will always be a felon . . . it will affect my job, it will affect my education . . . the custody [of my children] . . . [and] it can effect housing. (Manza 152)

As Alexander points out, “people that are convicted of drug crimes can’t even get housing anymore” (6). The correctional system now wants these peo-

ple to integrate themselves *back* into society, but there does not seem to be a way to. If they apply for a job, they will most likely be turned down because of their criminal past. They cannot do their civic duty and go vote (6). There are currently twelve states which reserve the right to completely deny any felon the right to vote, even if they have served their whole term. There are nineteen states that do still require convicts to serve out all of the probation and parole, a policy which could leave released prisoners in public for years without the right to vote (Felon Voting 1). When they apply for housing, they are denied because of their felon status. How are ex-convicts supposed to reintegrate into society when they cannot find a job, or even a place to live? They may have family to turn to, but that cannot last forever. What other options do these people have, other than using the connections they have made in prison to find some place to live, or to earn a living? This can only lead them to a situation where they can return to prison, or where they can become even more involved with the gang outside of prison, as they have learned skills in prison. If they become more involved, they are likely to commit even worse crimes than they were originally in prison for—leading to a second prison term longer than the first one.

There are a few studies that provide evidence for the professionalization of crime that should be mentioned. The first study, done by Francis T. Cullen, Cheryl Lero Jonson and Daniel S. Nagin, analyzed the effects that prisons had on recidivism. Their study found some shocking statistics. “Within 3 years of release, 67.5% of the prisoners were rearrested for a new offense, 46.9% were reconvicted for a new crime, and 25.4% were resentenced to prison” (Cullen 53-54). One could then make the argument that these rates had previously been higher, and the prison system is working effectively to bring these rates down. However, there seems to be evidence against that theory. Jonson and Nagin cite a study within their own which claims that in multiple comparisons, sending

people to prison raised recidivism rates by seven percent as opposed to options like probation or monitored home arrest (57). Another study, conducted by researchers at the University of California Berkeley, explains why so many people were in prison. They found that one of the contributing facts was the large number of people who returned to prison after they had already committed a crime. In agreement with what is discussed throughout this paper, the researchers found that criminals, especially young men, found it easier and more profitable to commit illegal activities once released than to seek a job (Raphael 59).

In view of data suggesting that harsher prisons are not helping to reduce crime, and in fact they may actually be producing it, why not consider relaxing prison conditions? A change that makes life behind bars less stressful and more secure for prisoners could mitigate conditions that breed violence and gang activity. Studies have found that harsher prisons (as measured by murder rates) lead to increased recidivism (Drago 3). There is of course a humanitarian aspect to this problem: prisoners should not be subjected to the threat of violence in their environment.

The argument against improving quality of life for prisoners tends to be that such changes would reduce the deterrent effect of incarceration, thus increasing crime. However, this notion is not supported by statistical data (5). Obviously prisoners could use the relaxed conditions to their advantage, and this could possibly lead to more violence within the prisons, but with a lack of stress and a better environment it would not make sense to become violent. This solution will not remove gangs from prisons, but it can reduce the need for people to seek out help *from* gangs.

Studies have also shown that the negative effects of prisons tend to have an even bigger impact on nonviolent criminals. Therefore, it may be possible

to slow down the professionalization of crime by reforming prison sentence for nonviolent offenders. A study referenced earlier in the paper by Amy Lerman found significant evidence that those who have no prior convictions or had committed non-violent offenses were much more likely to return to prison due to the experiences in prison (164). According to the American Civil Liberties Union, states like New York that have passed sentencing reform for non-violent criminals have seen a reduction in both their prison population and their crime rates. What is perhaps even more surprising is that these totals consistently stayed lower, providing more evidence that this policy is working (Myers 1). These people who are convicted of using a banned substance or even minor forms of theft could be subjected to lighter penalties, keeping them out of harsh prisons. Alternatives can range from home arrest, probation, or perhaps a very light jail sentence which would not bring the offender to a maximum-security prison. Studies have already proven that these alternatives can help to reduce recidivism rates; as mentioned above, prisons tended to increase recidivism seven percent when compared to non-custodial community sentencing instead of a prison term (Cullen 57). These people cannot necessarily be let free, but the justice system must consider new methods of dealing with them. These could include specific courts to try substance abusers or mandatory rehab, which states could consider investing in. This also can have additional benefits besides stopping the spreading and professionalization of crime. Prison populations can be reduced, preventing them from becoming overcrowded and mitigating stress and therefore the threat of violence among prisoners. The money that can be saved by reducing prison population can then be invested in expansion of drug courts or mandatory rehab (Myers 1), which in turn can be expected to have a positive effect on recidivism.

There is no doubt that reforming legislation to allow non-violent criminals

lighter sentences is not an easy task. An easier alternative to this would be to separate violent and non-violent criminals within prisons. This would simply require division or reorganization of the prison system. While it could cost money, it would have to be less than the expense of expanding drug courts or rehab programs. Multiple studies clearly demonstrate the effects that a violent prison culture has on those who are not violent in nature. Creating this separation could create a massive roadblock for the professionalization of crime, considering that those who have already committed violent crime would not be able to intimidate or pass on criminal techniques to those who have not (Lozoff 2). There also seems to be evidence the counter argument that prison culture is based on violence, and that creating this separation would only create two violent areas within the prison. An article from *New Renaissance* magazine reports that only ten percent of the prisoner population is responsible for determining the relative violence of the prison atmosphere. The other ninety percent are simply looking to finish their sentences and do not receive enough support from the prison administration to avoid the violent life (2). It is not easy to keep the prison populations completely separated throughout the day, but the less intermingling of violent and nonviolent offenders the better. Even if violent and non-violent prisoners were forced to be in the same section of the prison for a short amount of time, keeping it secure could prevent violence. This seems a small and simple solution that could directly decrease the likelihood that criminals will become more violent and will learn better techniques.

The US correctional system is flawed. Prisons breed violence, as studies show that inmates tend to leave prison with more violent attitudes than they entered with. It also seems that this is unavoidable as gangs promote violence within in prison, attacking those who just wish to serve their time and move on with their life. By promoting this violence prisoners are forced to join gangs

where they will learn how to become a better criminal. After they are released from prison they will most likely find it hard to get a job with a felony on their record. This can be even worse in areas of poor economic development, where their newfound skills from prison can seem like the only way to make a living. They cannot even fulfill their civic duty and vote for politicians who may help reform the exact system that damaged them. The best way to deal with this is to reform our prison and justice system. The reforms can be as extreme as revising laws to keep non-violent criminals out of jail, or as simple as providing counseling to prisoners to promote non-violent conflict resolution. Crime is a serious problem within America, but it appears that one of the major challenges in stopping crime is America's prison system. In order to reduce crime in America policy makers need to consider a serious reevaluation of the prison system. €

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