



STUDY GUIDE

WHY ARE SO MANY AMERICANS IN PRISON?

KEY TERMS: racist Progressive narrative mass incarceration myth
activists plea bargaining felony convictions

NOTE-TAKING COLUMN: Complete this section <i>during</i> the video. Include definitions and key terms.	CUE COLUMN: Complete this section <i>after</i> the video.
<p>Out of every ten inmates in prison, how many are in state facilities?</p> <p>The clear majority of the state prison population is made up of what type of criminals?</p> <p>How much of a reduction in the prison population is Progressive activist Van Jones calling for?</p>	<p>How does the reality of America's prison population significantly differ from the Progressive propaganda of so-called "racial injustice"?</p> <p>What might the consequences be of reducing the number of people in prisons?</p>

DISCUSSION & REVIEW QUESTIONS:

- At the beginning of the video, Mr. Mangual explains: “Our prisons are crowded with people who shouldn’t be there, the victims of a racist justice system. This is the popular Progressive narrative. But it’s wrong in every respect... The U.S. does have a very large prison population—not because too many innocent people are incarcerated, but because too many people commit serious, usually violent, crimes. With rare exceptions, that’s why most people are imprisoned in America.” Considering the overwhelming evidence to the contrary, why do you think that Leftists promote the idea that the justice system is racist, as part of their agenda? Why do you think that so many people are committing violent crimes? Explain.
- After Mr. Mangual notes that innocent people shouldn’t be behind bars and that the punishment should fit the crime, he states, “...let’s not fool ourselves that our prisons are full of people who shouldn’t be there. That’s simply not the case. Let’s start with those convicted of drug offenses, the source of so much of the “‘mass incarceration’ myth”. While it’s true that about half of federal prisoners are incarcerated on drug charges, federal inmates constitute only about 12 percent of the American prison population. Almost nine of every ten prison inmates are in state facilities. And very few of them, less than 15%, are there for drug related offenses... In short, violent criminals make up the clear majority of the state prison population.” What do you think the ‘mass incarceration myth’ is? Explain. Why do you think that so few drug offenders end up in prison? Explain.
- Mr. Mangual answers this last question by pointing out: “Most prosecutions never get to court. Instead a deal is made between the defendant’s attorney and the prosecutor to avoid going to trial. These negotiations often involve the offender agreeing to plead guilty in exchange for a reduced sentence, a dropping or downgrading of the more serious charges. As a result, a prisoner’s conviction record often understates the crime that landed him behind bars in the first place. For example, an armed burglar who, when arrested, was found to be in possession of illegal drugs, might go to prison not for his worst crime—the armed burglary, but for a plea-bargained charge of, say, trespass and drug possession. But the media and the activists don’t tell us about this rather important detail. Instead, all we hear about is the poor fellow who’s serving time ‘for selling a small amount of cocaine.’” Why do you think that so many prosecutors make deals to avoid trials? Why do you think that activists don’t take into account the fact that many drug offenders who are incarcerated are in prison because of a more serious crime? Explain.
- Later in the video, Mr. Mangual asks, “Do we really want even more criminals out on the street? Activists say yes. Scholars at the left-leaning Brennan Center have called for an immediate 40% reduction in the number of inmates. CNN host Van Jones, founder of the #Cut50 initiative, tops that. He wants a 50% reduction. But if the activists get their way, the costs would be high—and would likely be paid by the most vulnerable. Most crimes are committed by a small fraction of the population who primarily victimize their own communities.” Considering how dangerous it would be to let violent criminals out, why do you think that activists want to have so many of them released? Do you agree that the number of violent felons incarcerated should be reduced so drastically? Why or why not?
- At the end of the video, Mr. Mangual warns: “If we cut prison rolls by twenty, forty or fifty percent, it won’t be politicians and media celebrities living in gated communities who will pay the price, it will be the law-abiding citizens in underserved neighborhoods struggling to get ahead who will pay. When it comes to debates about criminal justice policy, these

people, not criminals, should come first.” What do you think would happen if so many violent felons are let out of prisons back to their communities? Do you agree with Mr. Mangual that the safety of the people of those communities should be given more weight in public policy debates regarding reducing incarceration numbers? Why or why not?

EXTEND THE LEARNING:

CASE STUDY: Elizabeth Warren

INSTRUCTIONS: Read the article “Elizabeth Warren’s Lie,” then answer the questions that follow.

- Who is Elizabeth Warren, and what did she declare as a “hard truth”? What claim does the author contend to be a paranoid lie? What is the myth of mass incarceration? What evidence demonstrates that it is a myth? What is the biggest reason for the overall disparity in incarceration? Blacks account for what percentage of homicides? What are the statistics and numbers reflecting the race of violent crime offenders based on? What condition fully explains the population-level disparity in fatal police shootings? According to the author, what two reasons explain why Senator Warren is making her accusation of the justice system being racist?
- Why do you think that Senator Warren is abiding by the Leftist agenda of falsely accusing the justice system of being racist? Why do you think that so many people are not willing to accept the reality that the simple reason that such a significant racial disparity exists regarding incarceration is that of the actual rate of offending? Why do you think the Left is so willing to accept that many more men than women are incarcerated because men commit more crimes than women, but not apply the same rationale towards race disparities- and, thus, why doesn’t the Left complain about the justice system being unfair and being sexist towards men? Do you think that the justice system is broadly, systematically, and intrinsically racist? Why or why not?
- In the article, the author characterizes Senator Warren’s accusation of the justice system being racist as, “...a sign that the Democrats are going to leaven their lurch toward socialism with a condemnation of America as fundamentally racist.” What do you think the author means by “lurch toward socialism”? Explain. Do you agree with the author’s assertion that the Democratic movement is generally condemning the U.S. as racist? Why or why not? Do you agree that the Democrats motive for condemning the U.S. as racist is as an excuse to justify a move towards socialism? Why or why not?



QUIZ

WHY ARE SO MANY AMERICANS IN PRISON?

1. Federal inmates constitute only about _____ of the American prison population.
 - a. 12%
 - b. 18%
 - c. 22%
 - d. 28%

2. How many of the inmates in state prisons are there for drug-related offenses?
 - a. less than 35%
 - b. less than 25%
 - c. less than 15%
 - d. less than 5%

3. Violent criminals make up the clear majority of the state prison population.
 - a. True
 - b. False

4. Scholars at the left-leaning Brennan Center have called for how much of a reduction in the number of inmates?
 - a. 10%
 - b. 20%
 - c. 30%
 - d. 40%

5. A University of Chicago Crime Lab study found that on average, someone arrested for a homicide or shooting in that city had nearly ____ prior arrests.
 - a. 3
 - b. 6
 - c. 9
 - d. 12



QUIZ - ANSWER KEY

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<https://www.nationalreview.com/2018/08/elizabeth-warren-lies-about-criminal-justice-system-racism/>

Elizabeth Warren's Lie

By Rich Lowry

August 7, 2018 6:30 AM



Sen. Elizabeth Warren on Capitol Hill (*Yuri Gripas/Reuters*) Our criminal-justice system is not racist 'front to back.'

Elizabeth Warren is branching out.

The Massachusetts senator, who has made a career of unfairly maligning bankers and other alleged capitalist malefactors, is now smearing the criminal-justice system, too.

In a speech at a historically black college in New Orleans, she declared that “the hard truth about our criminal justice system: It’s racist . . . I mean front to back.”

Her riff is a sign that the Democrats are going to leaven their lurch toward socialism with a condemnation of America as fundamentally racist. After helping fuel Donald Trump’s rise in 2016 with loose rhetoric about the bigotry of cops, Democrats hope to dislodge him in 2020 with even more sweeping accusations of systematic racism.

The U.S. criminal-justice system is obviously a legitimate topic of debate. The war on drugs has been a blunderbuss mistake, and we should be reconsidering how many people we jail, and how we do it and why. But the contention that U.S. law enforcement is a product of racial hatred is a paranoid lie, from top to bottom, from beginning to end, from front to back.

The basis of the racism charge is the obvious disparities in the numbers. Blacks are 13 percent of the population, yet they account for 38 percent of state prisoners, and for more than roughly 30 percent of fatal police shootings.

The driver for mass incarceration, we are always told, is a racist war on drugs. But this is a myth. In his book *Locked In*, John Pfaff notes that at its height in 1990, the share of state prisoners serving time for drugs was just 22 percent. The proportion fell to less than 16 percent in 2014. So you could release all drug offenders and still leave mass incarceration intact. And you wouldn't just be releasing black prisoners — 33 percent of white inmates in state prisons are drug offenders, a slightly smaller percentage than the 38 percent of black inmates who are drug offenders.

The biggest reason for the overall disparity in incarceration is different rates of offending.

It is true that the incarceration rates for drug offenses are much higher for blacks. This may be a product of enforcement bias, or other factors such as that whites are more prone to use private, as opposed to open-air, drug markets. “Little rigorous empirical work has been done to test these theories,” Pfaff writes. “It’s not uncommon to see someone simply assert that the proportions of whites and blacks who use and sell drugs are the same, but with very little data to support the claim.”

The biggest reason for the overall disparity in incarceration is different rates of offending. Blacks account for about 50 percent of homicides. It’s not that the police are simply making up these crimes. The numbers for violent crime accord with reports from crime victims about the race of their assailants.

The same applies to police shootings. Joseph Cesario, a professor of psychology at Michigan State University, writes that “the differences in involvement in criminal situations between black and white citizens fully explains the population-level disparity in fatal police shootings.”

Now, it’s entirely fair to argue that different rates of offending are a function of the vestiges of racism, and that it is urgent to pursue criminal-justice reform given how the status quo affects black families and communities. But the idea that we are living in a latter-day apartheid South Africa, with a system designed to jail and immiserate blacks out of sheer maliciousness, is contemptible, poisonous, and wrong.

It is telling that Elizabeth Warren is going there. There are two reasons. One is that she has a Bernie Sanders problem: She is (to all appearances) a white politician who has overwhelmingly devoted herself to economic issues. She needs to play identity politics catch up. Two, in reaction to Trump, the Left is embracing a sweeping indictment of America as undemocratic and racist at the core.

Warren’s performance shows that the party is prepared to consider no critique of America too radical or out of bounds.

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