

The Rich Get Richer and the Poor Get Prison

Jeffrey Reiman, author of The Rich Get Richer and the Poor Get Prison, first published his book in 1979; it is now in its sixth edition, and he has continued to revise it as he keeps up on criminal justice statistics and other trends in the system. Reiman originally wrote his book after teaching for seven years at the School of Justice (formerly the Center for the Administration of Justice), which is a multidisciplinary, criminal justice education program at American University in Washington, D.C. He drew heavily from what he had learned from his colleagues at that university. Reiman is the William Fraser McDowell Professor of Philosophy at American University, where he has taught since 1970. He has written numerous books on political philosophy, criminology, and sociology.

Reiman states his thesis in the Introduction. He claims that the goal of the American criminal justice system is not to eliminate crime—or even to achieve justice—but to project to the people an image of the idea that the threat of crime emanates from the poor. The system must "maintain" a large population of poor criminals, and to this end, it must not reduce or eliminate the crimes that poor people commit. When crime declines, it is not because of our criminal justice policies, but in spite of them. In testing this idea, Reiman had his students construct a correctional system that would maintain a stable and visible group of criminals, rather than eliminating or reducing crime, and they suggested the following:

- enact laws against drug abuse, prostitution, and gambling;
- give police, prosecutors, and judges broad discretion in deciding who gets arrested, charged, and sentenced to prison;
- make the prison experience demeaning;
- do not train prisoners for jobs after release;
- deprive offenders of certain rights for the rest of their lives.

The system that emerges is what we have today.

In the chapter, "Crime Control in America," Reiman suggests that the system has been designed to fail. Imprisoning drug offenders, for instance, does nothing to reduce the number of drug offenders in society because they are immediately replaced. The decline in violent crime is more attributable to demographic changes than to enforcement efforts. Most of the decline in crime results from forces beyond the control of the criminal justice systems. Reiman also feels that we could reduce crime if we wanted to do so, and that our excuses are not really answers to the problem, but merely excuses to explain why the system fails. We know the causes of crime—poverty, prison, and drugs—yet we do nothing to change how these things operate, such as banning guns and decriminalizing drugs.

In the chapter, "A Crime by Any Other Name . . .," Reiman considers how language is used to identify some actions, and he argues that such things as workplace-related deaths that could be prevented should be considered crimes, as well. As far as the criminal justice system is concerned, the face of crime is young, male, poor, and black. Reiman believes that the criminal justice system helps create this reality, projecting a particular image of crime and hiding the larger reality of social injustice and even white-collar crime. They identify crime as a direct, personal assault and ignore many other damages caused by carelessness and greed of a different order. Reiman details threats from the workplace, the health care system, the use of chemicals by various companies, and poverty itself, none of which are considered crimes. Reiman feels that the criminal justice system distorts the image of what truly threatens society.

In the chapter, ". . . And the Poor Get Prison," Reiman points out what many have noted—that the offender in prison is most likely someone from one of the lowest social and economic groups in the nation. The poor are more likely to be arrested for a particular crime, while wealthier people are merely warned. Reiman uses evidence of the differential treatment of blacks for several reasons: 1) blacks are disproportionately poor; 2) the factors that are most likely to keep an offender out of prison do not apply

to poor blacks; 3) blacks and whites in prison come from the same general socio-economic status; 4) race adds to the effects of economic condition; and 5) the economic powers in America could end or reduce racist bias in the criminal justice system if they wanted to do so. Reiman believes they see it as to their economic advantage not to curb crime. He finds that police, prosecutors, and judges all make certain that the poor are more likely to go to prison than the well-to-do. This should not be the case, given that white-collar crime is costly, widespread, and rarely punished. Even when arrested and convicted, white-collar criminals do not do the same amount of time as the poor, and do not go to the same prisons.

In his chapter, "To the Vanquished Belong the Spoils," Reiman considers why the criminal justice system is failing and finds that it is not an accident, but rather an intentional action by the rich and powerful to keep the system operating as it is. He does not say this is a conspiracy and offers reasons why a conspiracy theory does not explain what has happened. The poor are more likely to be victims, as well, and they lack the money or power to change the system in any way. On the other hand, those who are in a position to change the system are not in enough jeopardy to initiate change. The criminal justice system is extremely visible in American society and popular culture, and there is an ideology of criminal justice that is implicit, concentrating on individual wrong-doers and directing our attention away from social institutions and their actions. This distorts the nature and reality of the problem facing society. Because there is an association between crime and poverty in the popular mind, there is also a bias against the poor.

In the concluding chapter, Reiman considers what he calls the Crime of Justice, or the crime society is perpetrating against the poor and powerless by allowing the system to continue as structured, and, in effect, create crime rather than reducing it. The goals of protecting society and promoting justice are both ill-served under the current system.

Taken as a whole, Reiman's book puts forth a solid argument that the system does not serve the public as presently constituted, and the proof is not merely in growing or diminishing crime rates, but in incorporating a broader concept of social justice into the system itself. Certain specific actions might be taken, such as decriminalizing drugs or reducing the number of guns in circulation, but clearly each of these ideas has massive opposition waiting to stop any such effort. Reiman's concept of social justice is more in keeping with sociological theories that find systemic reasons for crime, which is quite different from the prevailing individual actor theories that are so embedded in the system. Reiman is less convincing in the way he describes the system as intentionally biased, for he makes it sound as if it were an organized conspiracy. That is simply not the case. The book is provocative and has many good ideas, including a thorough analysis of the current criminal justice system and how that system may be changed to better represent, serve, and protect ALL Americans.