

# Forgotten Elders: Black, and Aging, in Prison – Research Excerpts

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*Wentworth. Jailbirds. Girls Incarcerated.* All of these are titles of popular shows on Netflix that portray life in prison. However, they are all missing one thing: documentation of experiences elders have in prison.

**Almost 2.3 million people** are incarcerated in our nation. The United States holds them in “1,833 state prisons, 110 federal prisons, 1,772 juvenile correctional facilities, 3,134 local jails, 218 immigration detention facilities, and 80 Indian Country jails” (Sawyer et al.). Black people make up 13% of the nation’s population, but they are 38% of the prison population. A startling statistic about the population of imprisoned people is that, out of the current 2.3 million, approximately 246,600 are older than fifty (American Civil Liberties Union). Unless people outside prison know someone who is in prison or have had an experience that gives them awareness of life inside prison, they do not give much thought to living circumstances of people who are imprisoned. The first section of the paper will discuss conditions of Black elders in prison and why Black elders in prison are forgotten.

**The War on Drugs** that took place during the administration of Richard Nixon in the 1970’s is in large part responsible for today’s large prison population. It was riddled with racial disparities. One example of the disparities was the difference between sentencing for users of crack cocaine and users of powder cocaine. Blacks use crack cocaine because it is a cheaper than power cocaine, which is the drug more commonly used by White people. There is a 100-to-1 sentencing disparity between the two. Sentencing for distribution of five grams of crack cocaine is equivalent to the distribution of five hundred grams of powder cocaine (American Civil Liberties Union). This law is only one example of laws of racial disparities that are still in place today.

**Black people are four times** more likely to be arrested on charges for marijuana than White people. Although their rate of usage is equivalent to that of Whites, they are six times more likely than White people to be imprisoned for drug offense. Additionally, the average sentence Blacks are given for a nonviolent drug offense is the same as the sentence Whites are given for a violent crime. In 2011, Cornell Hood, a Black man thirty-five years of age, was sentenced to life in prison for four convictions of marijuana possession and intent to sell. The officers who arrested him performed a warrantless search and found that he had less than two pounds of marijuana (POW 420) in his possession. He was sentenced less than a century ago.

## Health of Elders in Prison

High blood pressure, asthma, cancer, and HIV are major health challenges Black elders face in prison. They will not receive the care good health requires because prisons were designed for young people, not for elders (American Civil Liberties Union). On average, the cost per year of a prisoner who is over the age of fifty is \$68,270. This cost includes additional staff and medical expenses (American Civil Liberties Union). However,

prisons are not healthcare centers. They are ill equipped to handle the healthcare needs of the growing population of prisoners. They are unhygienic places in which infectious diseases thrive. (Penal Reform International). That is why spread of the Coronavirus has started its rounds in prisons. Thousands of prisoners have tested positive, but, unfortunately, there is no way to know the exact number of cases or how many people have been tested (Park et al.).

Some people with mental illness are imprisoned for unruly behavior. In reality, they should be placed in psychiatric care (Penal Reform International). Their mental illnesses can keep them in a cycle of recidivism. If they are released, they return to prison and, once returned, behavior problems prevent them from being released again. Even if they were not mentally or physically ill before their incarceration, people who are incarcerated decline faster, mentally and physically, than people who are not in prison (Jefferson). Expedited aging poses questions about conditions in prisons and treatment of those who are imprisoned.

The recidivism rates for elders in prison are substantially lower than they are for younger people. By the time people in prison are fifty years old, evidence is abundant that recidivism rates lower immensely as a result of several factors: physical disabilities, mental disabilities, age, health problems, and lack of interest in committing crimes. For example, people released at age forty five and older, the rate of return was 56% lower than for people released between the ages of eighteen and twenty-four (American Civil Liberties Union). This minuscule recidivism rate proves that people who were in prison at older ages have less motive to commit crimes.

Although this paper focuses primarily on the population of Black people aging in prison, it does not include stories of Black elders who are in prison. They receive longer sentences than Whites, as statistics prove, but their invisibility prevents us from seeing them because as their invisibility: invisibility in the judicial system, invisibility in the legislative system, and invisibility in the place where they are living, their prisons.

All things considered, the incarceration of Black elders affects not only the individual who is imprisoned, but also children and grandchildren growing up without their mothers and their fathers and other family members and knowing them in visits to the prisons that are timed and guarded and lacking in privacy. All of this immense pain and loss and destruction of family is the result of a petty nonviolent drug offense. It is projected that by 2030, the number of elders in prison will be over 400,000 (American Civil Liberties Union). To stop this number from growing exponentially, the United States has a lot of work to do in order to end mass incarceration.

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