



Online citation: Chesney-Lind, Meda. 2011. "Keynote Address Critical Criminology and Justice Studies Conference 2010 Honolulu: *Classrooms or Cells* " *Western Criminology Review* 12(2):3-9. (<http://wcr.sonoma.edu/v12n2/Chesney-Lind.pdf>).

Keynote Address, Critical Criminology and Justice Studies Conference 2010 Honolulu: *Classrooms or Cells*¹

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Keywords: alternatives to incarceration; costs of incarceration; corrections and higher education spending; incarceration in Hawaii; critical criminology

Hawaii, like many states, is facing a severe budget crisis, and that has meant that public higher education is in crisis. Locally and nationally, that has many thinking about the future of public education as currently funded. Specifically, how do we sustain what is arguably one of the greatest—and undervalued—aspects of American culture.

For me, thinking about public higher education in Hawaii is personal. I received both my MA and my PhD here at the University of Hawaii at Manoa, and I've also worked my entire professional career in various campuses in the system (including a community college). In the seventies, I was a graduate student in a building right up the road from here (Saunders Hall), and I think I got a world class education there. And candidly, I did not have a lot of money; most of the time I was in graduate school, I received a "rent subsidy" which was income qualified. So you might say I was receiving welfare, so the affordability of Manoa (as we call it) was also important to me.

About the same time I was studying at UHM, there was another young woman, Ann, getting her PhD. here as well. Ann had already received her BA from Manoa in 1967, and she would enroll again in the early seventies as a young single mother with a son and her daughter. She would eventually complete her MA and her PhD. from Manoa. She would also have two brilliant children who survived and thrived [to take a thought from her dissertation] in the vibrant intellectual community around the campus. What does this history have to do with the crisis that confronts us?

Everybody asks "where are we going to get the money to fund higher education?" Well, I have an answer. Let's go back to my early career as a young criminologist. In 1970, I knew we imprisoned about 300 people in Hawaii, because I was doing research at the State's one and only prison which held that number. As Table 1 shows, by 1980 this number had essentially tripled (926). Like the rest of the country, Hawaii had embarked on what scholars now call "mass incarceration" so that eventually even that base number would seem small (see Table 1).

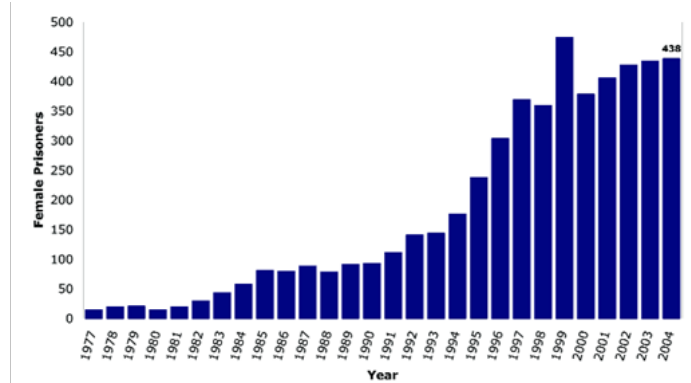
By 2008, Hawaii would imprison over 6,000 people, with a *third* of them on the mainland, far away from their families. I know these numbers look low (especially compared to California's numbers). Although Hawaii has an incarceration rate "28% lower than the national average of incarcerated adults per 100,000" (National Institute of Corrections 2011), the growth is something I have watched with astonishment. And because Hawaii is a small state, like many other states, we have also opened our "first" women's prison (which is currently over-crowded) during this period. Figure 1, shows the growth in women's incarceration since 1977.

Overall, the number of people we imprison in Hawaii has *increased* by 20% just since the turn of the century. This increase occurred despite the fact that Hawai'i has seen its crime rate decline to the lowest level in decades (Fuatagavi and Perrone 2010).

Recall that more than 60% of those we incarcerate in the US are ethnic minorities, and in Hawaii that means Hawaiians (39%), Filipino (12%), Samoans (5%), and

other people of color (Hawaii Department of Public Safety 2010:43). Native Hawaiians, in particular, are over-represented in our jails and prisons.

Figure 1: Sentenced Female Prisoners in Hawaii, 1977-2004



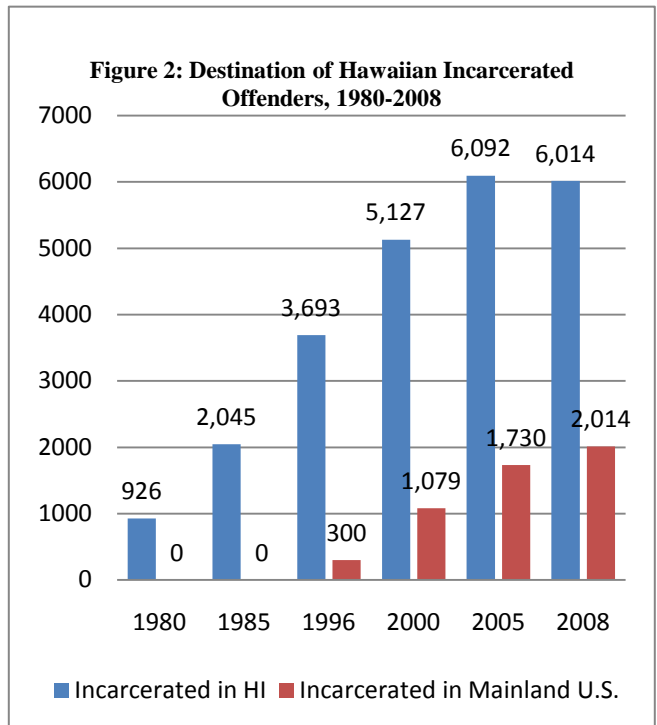
Source: Frost, Greene, and Pranis 2006, p. 55.

Table 1: Hawai'i Department of Public Safety Annual Inmate Population

INMATE POPULATION FROM 1980 TO 2008		CONTRACTED OUT OF STATE FACILITIES, 1996-2008
End of Fiscal Year	Assigned Count	End of Fiscal Year Counts
1980	926	
1981	1121	
1982	1,326	
1983	1,473	
1984	1,769	
1985	2,045	
1986	2,159	
1987	2,259	
1988	2,289	
1989	2,480	
1990	2,625	
1991	2,673	
1992	2,999	
1993	3,133	
1994	3,246	
1995	3,583	
1996	3,693	300
1997	4,604	300
1998	5,216	600
1999	5,043	1,178
2000	5,127	1,079
2001	5,412	1,194
2002	5,569	1,232
2003	5,657	1,295
2004	5,958	1,579
2005	6,092	1,730
2006	6,251	1,844
2007	6,045	2,009
2008	6,014	2,014

Source: Hawaii Department of Public Safety 2010, p. 43.

Figure 2 below shows the rate of growth of Hawaii's prison population relative to the growth of those incarcerated out of state.



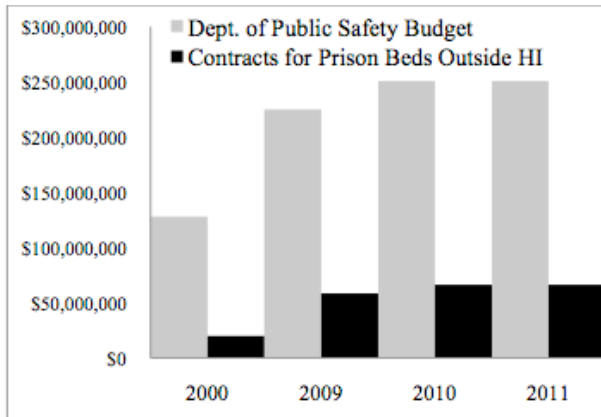
Source: Derived from Department of Public Safety, Hawaii 2010, p. 43.

Looking specifically at those we house on the mainland, a review of Hawaii's classification system revealed that 60% of our Hawaii inmates doing time in mainland private, for profit prisons, are actually minimum or community custody. That means they could be housed in minimum security or community custody beds here in

Hawaii instead of thousands of miles away from their homes and families.

Figure 3 shows Hawaii’s Correction’s Budget and the amounts spent on prison beds outside Hawaii:

Figure 3: Hawaii Department of Public Safety Contracts for Prison Beds Outside Hawaii, 2000-2011



Source: Smart Justice 2010, p. 2.

Speaking of money, since the turn of the century, the corrections budget in Hawaii has increased by 87.5% (from 128M to 225M in 09). During the same time: money spent to send prisoners to private prisons increased by 192% (20M to 58.4M): “As it stands now, 31.5% of PSD’s general fund operating appropriations goes toward incarcerating prisoners outside of Hawai’i; this is up from 15.6% in 2000” (Smart Justice 2010:2).

And what does Hawaii get for these millions? One indication from 2009 report on the Otter Creek Correctional Center, run by the Corrections Corporation of America, is that women inmates were removed by Hawaiian correctional officials as a result of charges of sexual abuse by CCA guards (Urbina 2009). At least “six CCA employees were charged with sexual abuse or rape, including the prison’s chaplain” (Friedmann 2010). Moreover, as anyone who has studied the private, for profit prison system knows, terrible short cuts are taken in all sorts of ways in these systems.

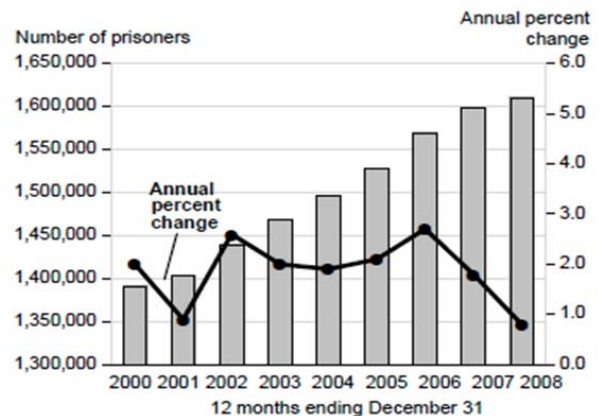
Hawaii is not alone in spending vast sums of money on corrections. America is the world’s largest incarcerator and incarceration doesn’t come cheap. So, where do the nation’s Governors go to get the money to house this huge number of prisoners? The answer, sadly, is simple: mostly from Higher Education. While corrections budgets in the US soared over the past few decades “Between 1987 and 2007 the amounts states spent on corrections more than doubled,” funding for higher education stagnated (Based on data from The National Association of State Budget Officers 2009 cited by The Pew Center on the States 2009:15).

Hawaii, it turns out, is not alone in this. We have heard from [former] Governor Schwarzenegger who is has called attention to California’s misplaced priorities. He even proposed a constitutional amendment “barring the state from spending a higher percentage on prisons than higher education” and pointed out that “in the last 30 years, prison spending increased from 3 percent of the state general fund to 11 percent while higher education spending declined from 10 percent to 7.5 percent. Spending 45 percent more on prisons than universities is no way to proceed into the future” (Jackson 2010).

The good news is that nationally the pace of incarceration is slowing. At yearend 2008, the U.S. prison population grew at the slowest rate (0.8%) since 2000, reaching 1,610,446 sentenced prisoners (see Figure 4). And by yearend 2009 the rate of incarceration had increased only 0.2% over 2008, an increase that “marked the third consecutive year of slower growth in the U.S. prison population and the smallest increase during the decade” (BJS 2010:1).

Figure 4: State and Federal Prisoners

Prisoners under state or federal jurisdiction at yearend, 2000-2008



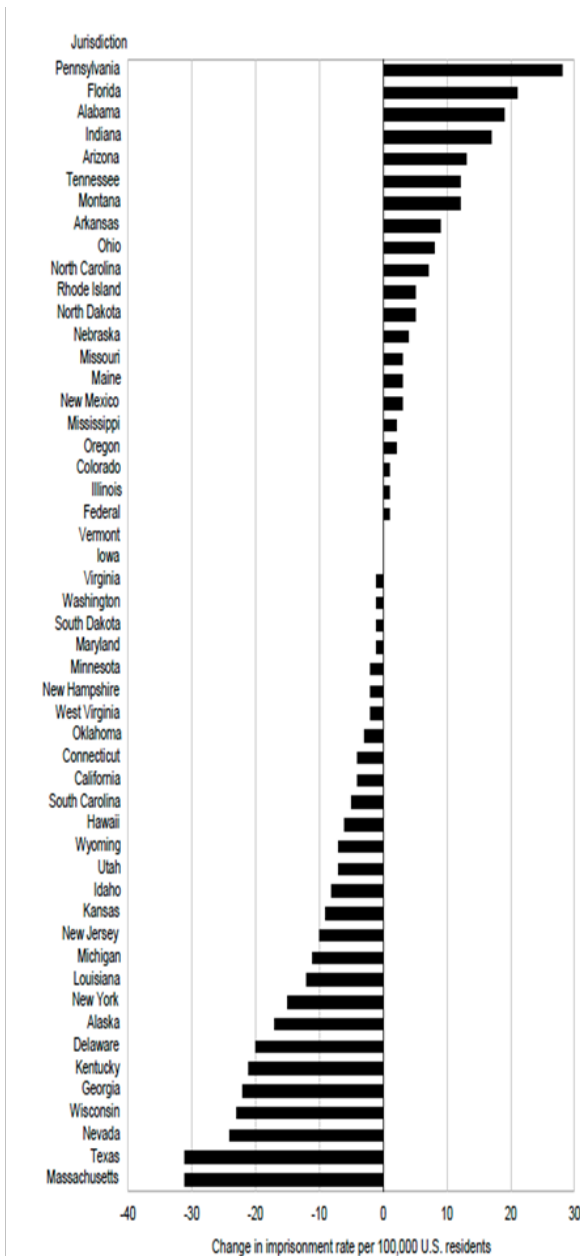
Source: BJS (Bureau of Justice Statistics) (2009), p.1.

Growth of the prison population since 2000 (1.8% per year on average) was less than a third of the average annual rate during the 1990s (6.5% per year on average).

Moreover, considerable variation exists by State (See Figure 5, below).

Twenty-eight states reported a decrease in their imprisonment rates, 20 states reported an increase, and two states reported no change to their imprisonment rates at year end 2008. Massachusetts and Texas (both down 31 prisoners per 100,000 U.S. residents) reported the largest declines in their imprisonment rates. Pennsylvania (up 28 prisoners per 100,000), Florida (up 21 prisoners per 100,000), and Alabama (up 19 prisoners per 100,000) reported the largest increases in their imprisonment rates at year end (BJS 2010).

Figure 5: Change in imprisonment rate, 2007-2008



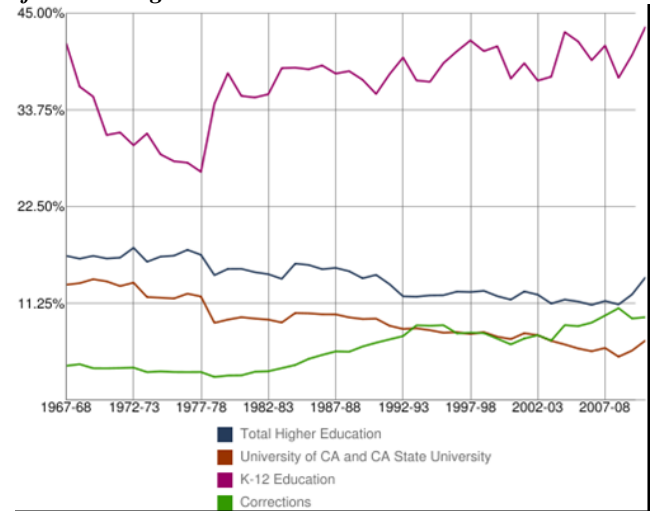
Source: BJS (Bureau of Justice Statistics) 2009, p. 7.

Where does this all leave us? At the University of Hawaii, Manoa, this situation has presented us with a “teachable moment” politically since the cutbacks in higher education have provided us with an audience for what used to be a politically unpopular position. We suddenly have students facing *huge* tuition increases, focused on the nation’s warped priorities. And of course, these are accompanied by *huge* cutbacks in classes and campus budgets.

Recently, I was able to tell our students that, the University of Hawaii was No. 1; not in football though. We were No. 1 in tuition increases, raising our tuition by 20% in just one year (2006). That was the highest tuition increase of any public university in the nation that year. Of course, that tuition increase pales in comparison to those now being seen in California public higher education—32%, with little end in sight.³ These students and their parents represent only the beginning, but we suddenly have a chance to be heard by a group that could be quite influential.

Someone once said never let a good crisis go to waste. Well higher education in the US is facing a *major* crisis, but that means that we, progressive criminologists have a chance to be heard from people who generally could care less about incarceration. But when you are talking to your students and their parents, the connection between these two issues needs to be very, very clear as the California table did so graphically.

Figure 6: Budgets from the State General Fund: Percent of Total Budget



Source: Post-Secondary Education Commission 2010, p. 1.

Looking at that California budget table, watch the funding for lower education (sometimes called K-12). You can see that after a sharp dip (after the Passage of Prop 13, I’m guessing), budgets for K-12 maintained pretty well. The Community Colleges also did relatively well, as we saw before. It was higher education, and especially 4 year and doctoral campuses that really took the hit. Well, why care about that? In Hawaii I’ve been saying the University of Hawaii, Manoa is the *only* place that Native Hawaiian and other economically challenged students have a chance at being the judges, lawyers and doctors and not just the room cleaners (though there’s nothing wrong with that if

it's their choice. Indeed, the Union representing them came to our teach-in to make just that point!)

State budgets *have* to be balanced, so literally every dollar spent on corrections could have been spent elsewhere, and the clear loser in that budget battle has been Higher Education.

My call to you as progressive criminologists, is to do as much as we can to find these same data for your state (you can use the Pew Report as a start) and then build out the argument.

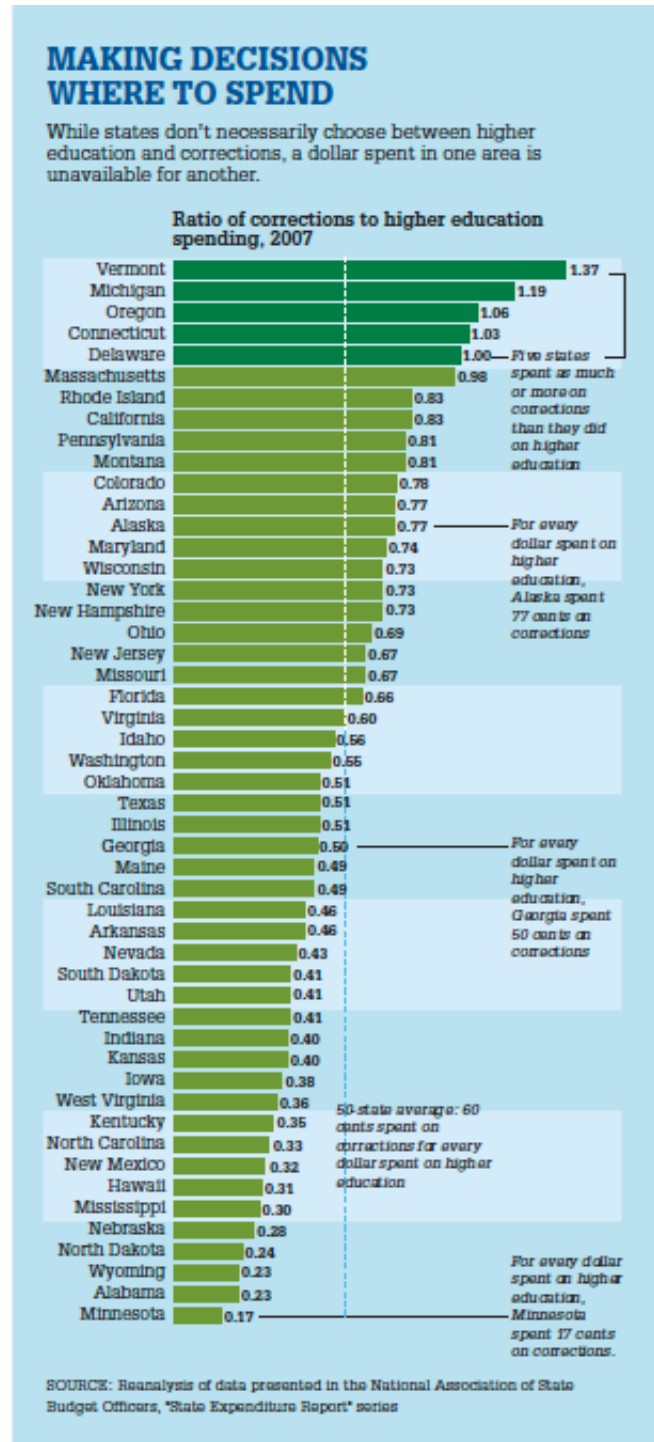
Locally, a colleague and I tried to do this, by gathering what compelling, local data we could on the problem and writing a factual op ed that was published in the State's largest paper, the *Honolulu Advertiser* (Chesney-Lind and Brown 2008).

This year, as our legislature is gathering, Kat Brady² with the Community Alliance on Prisons is putting the finishing touches on a great, accessible publication that goes over these facts again, in more detail, while also taking on the myths (like incarceration is responsible for the crime drop). Some of the tables I used in today's presentation come from Kat's latest draft of *SMART JUSTICE* (2010). She's documented very powerfully how the State's corrections budget has ballooned in recent years.

So, let's go back to that other young woman, Ann, I mentioned at the beginning of this talk who was attending graduate school about the same time as me and in the same building I did. Her full name back then was Ann Dunham-Soetoro. Now think about her son, Barack Obama, who is the first Black President of the United States, born and bred in Hawaii while his mother attended graduate school.

Those of us who are fighting former Governor Lingle's efforts to cut public education for schools while continuing to write checks for Corrections Corporation of America are fighting for future Ann Dunhams who are non-traditional students coming back to school after many years, with two young multi-ethnic kids in tow. They, like Ann, don't have a lot of money, but they have big dreams for themselves and their children.

Her son, President Barack Obama, has supported Senator Webb's "National Criminal Justice Commission Act," has been tasked to comprehensively review and overhaul America's criminal justice system and won a major victory when the Senate Judiciary Committee approved the measure with bipartisan support. Webb often notes that we are the world's largest incarcerator; we comprise 5% of the world's population but we imprison a quarter of the world's inmates. He concludes: "Either we are the most evil people on earth or we are doing something very wrong" (Webb, 2009: 4). This Act has gone to the senate floor, which is very encouraging, though there are cautionary signs ahead such as the continued operation of the Nation's most notorious prison, Guantanamo.



Source: Pew Center on the States 2009, p. 16.

So I urge you to be as savvy as Senator Webb, and to seek to find *new* venues and ways to urge the country choose classrooms over cells, to reverse America's misguided priorities.

UHM just celebrated its 100th birthday. I want UH Manoa, and other public Universities like it to be here for the next 100 years so we can always promise that amazing future to Hawaii's gifted young people no matter what their ethnicity or income.

Endnotes

¹ Originally presented as the keynote address for the inaugural Critical Criminology and Justice Studies Conference, Honolulu, CA, 2010. Many thanks to Stuart Henry, Karen Glover, Christine Curtis and other members of the Critical Criminology community who extended this honor to me. I also wish to especially thank Stuart Henry for putting my speech into draft form for me to edit.

² 2010's Critical Criminology and Justice Studies award winner.

³ Since this Keynote presentation the U.S. Department of Education (2011) released data that show universities with the highest percentage increase in costs (tuition and fees) included 23 of California's public universities in the top 5% in the nation with the highest increases, and these ranged from 35% to 47% between 2007-08 and 2009-10.

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About the author:

Meda Chesney-Lind is a Professor of Women's Studies, University of Hawaii at Manoa. She has served as Vice President of the American Society of Criminology and president of the Western Society of Criminology. Her nationally recognized work on women and crime includes the book *Girls, Delinquency and Juvenile Justice* which was awarded the American Society of Criminology's Michael J. Hindelang Award for the "outstanding contribution to criminology, 1992" and *The Female Offender: Girls, Women and Crime* (1997). The National Council on Crime and Delinquency selected her co-edited book (with Nikki Jones) *Fighting for Girls: New Perspectives on Gender and Violence* for a 2010 PASS (Prevention for a Safer Society) Awards. In 2001, she received the Bruce Smith, Sr. Award "for outstanding contributions to Criminal Justice" by the Academy of Criminal Justice Sciences, and she was named a fellow of the American Society of Criminology in 1996. She also received the Distinguished Scholar Award from the Women and Crime Division of the American Society of Criminology, the Major Achievement Award from the Division of Critical Criminology, and the Herbert Block Award for service to the society and the profession from the American Society of Criminology. Finally, she received the Donald Cressey Award from the National Council on Crime and Delinquency in 1997 for "her outstanding academic contribution to the field of criminology." Locally, she has been awarded the University of Hawaii Board of Regent's Medal for "Excellence in Research." In addition to her scholarly research and teaching Dr. Chesney-Lind is an outspoken advocate for girls and women, particularly those who find their way into the criminal justice system.

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