Cost of Darkness: Criminal Justice Sector

By Julietta Bisharyan

The United States has faced the issue of mass incarceration for decades. From Nixon’s war on drugs to the establishment of mandatory sentencing, the nation has become the leading [jailer](https://aleteia.org/2014/07/31/america-is-the-largest-jailer-in-the-world-land-of-the-free/) in the world.

Though built on the ideas of equality and fairness, the American criminal justice system fails to recognize its lack of equity. Instead, it criminalizes racial and ethnic minorities, sweeping the crime issue underneath the rug of correctional facilities. As a result, the prison epidemic becomes a symptom of a corrupt system, as incarcerated individuals often face their sentences based on socioeconomic disadvantages and racial profiling rather than guilt and evidence.

One of the many flaws of the justice system is its underlying bias towards the wealthy. Despite the Supreme Court case, [Gideon v. Wainwright](https://www.oyez.org/cases/1962/155), which grants the right to counsel regardless of ability to pay, there is no guarantee of adequate representation. Wealthier individuals are more likely to have better lawyers, hence a reduced sentence. Meanwhile, lower-income people are more likely to receive a harsher punishment even with mediocre defenses.

In addition, public defense attorneys are often underfunded and understaffed. According to the U.S. Government Accountability Office, in [2012](https://www.huffingtonpost.co.uk/entry/racial-disparities-criminal-justice_n_4045144?ri18n=true), “more than 70 percent of public defender offices reported that they were struggling to come up with the funding needed to provide adequate defense services to poor people.” Not only do the defendants have financial setbacks, but the attorneys who represent them as well. Money remains a factor as jails overfill with primarily innocent people who cannot afford their freedom.

Many inmates are victims of institutionalized racism. Police officers target African Americans and Latinos with the assumption that they are all guilty. Although African Americans constitute only 13 percent of drug users, they make up about [46 percent](https://www.hrw.org/news/2009/03/02/us-drug-arrests-skewed-race) of those convicted for drug offenses. This [disproportion](https://www.prisonpolicy.org/reports/repeatarrests.html) highlights the persistent residential segregation and racial profiling that subjects Black communities to greater surveillance and increased chances of police stops and searches.

As seen in the *Cost of Darkness* documentary, the criminal justice system enables a cycle of systemic prejudice and wrongful convictions. It is crucial to become aware of these issues to promote change such as by emphasizing rehabilitation and education programs rather than prisons. At the end of the day, everyone has the right to life, liberty, and the pursuit of happiness, regardless of their identity.