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**Prison Break (The Show) and the Prison System**

**Introduction**

 The popular show *Prison Break* created by Paul Scheurig for Fox Entertainment presents a great representation of how the american criminal justice system functions and what life is like inside of a prison.The first season of the show follows two brothers, Michael Scofield and Lincoln Burrows, as they face various challenges with inmates and the criminal justice system living inside of an american penitentiary. There are times when the rendition of the situation presented feels like it is a great representation of how incarcerated individuals interact with each other and the criminal justice system. At the same time, many small discrepancies exist between how the show depicts criminal justice actions and how the real criminal justice system would react. Overall, the show reveals how many crimes committed go unreported, reasons why crimes are committed, what life inside of a prison entails, and represents a good example of how those working in the legal system would respond to crimes and criminals. The majority of the first season follows the two brothers during their legal process and incarceration. As such, my essay will be analyzing how accurately life for convicts is represented, where the show may have been inaccurate, and how the culture of incarceration in the United States is manipulated by privatization and businesses for profit.

**Body (Spoiler Alert!)**

*Prison Break* is a dramatic show that keeps you at the edge of your seat and wondering what you would do if you were in the protagonists shoes. Watching it you naturally start to route for the brothers even if you know that what they are doing is illegal. It’s a show that makes you look at crime from the perspective of those who commit it. What pushes someone to become a criminal? While there is no one answer for this question, *Prison Break* reveals how powerful personal connections can be in influencing people to commit crimes. Close bonds to people who have committed crime or exposure to criminality in general has been found to cause criminality in many cases. *Prison Break* epitomizes an example of this in the first episode.

In this fictional rendition, Lincoln Burrows was framed for the murder of the vice presidents brother, a business tycoon, Terrence Steadmen. He was convicted by the U.S. criminal justice system and given the death penalty. The show reveals that there was an overwhelming amount of evidence linking Burrows to the crime. His prints were on the murder weapon, video surveillance of the night shows Burrows use the weapon, interact with the body, and exit. He was also apprehended “red handed” in his apartment bathroom in the presence of bloody trousers soaked in Steadmans blood. With this in mind, it is easy to see how almost any jury or judge would rule against Burrows. Especially considering the potential publicity of the case due to the victims identity. However, Burrows adamantly denies murdering Steadman and claims that he was framed. His close ties are torn. His ex-girlfriend (and lawyer) Veronica Davis does not believe Burrows at first, given the evidence against him. His brother Michael Scofield a talented architect and potentially a genius; fully believed him, and hatched the perfect crime in order to save his brothers life.

Scofields negative exposure to the criminal justice system caused him to lose faith in it functioning right. His brother had been framed for a murder he did not commit and sentenced to die. Possibly feeling hopeless and trapped, a prior upstanding citizen turned to crime as a means to fix the problems in his life. Somehow getting his hands on the blueprints to Fox River Penitentiary where Burrows was being held, Scofield designed a full body tattoo incorporating the layout and an elaborate escape plan onto his own body. The only problem he had was simple, how do you get sent to prison AND guarantee it was the same one Burrows was held? His solution was to rob a bank, set off a firearm, surrender, and plead guilty. By setting off the firearm he was immediately classified as a violent offender and guaranteed that he was sent to a maximum-security prison. Which Fox River was, conveniently, the closest one to where he was tried. This portion of the show was made to appear deliberate; in reality, ensuring he would be sent to the same prison would be nearly impossible. The facility where someone is incarcerated in is normally decided on an individual basis and maximum-security is reserved for violent disruptive offenders. Scofield did not harm anyone in his heist even though he set off a firearm so, it would be more likely for him to be sent to a medium-security prison. Medium-security prisons are reserved for less serious offenders and are offered work or treatment programs during their incarceration.

A pivotal portion of Schofields plan demanded access to special privileges like these work programs. The show called it “prison industry”. Real prisons offer trusted inmates access to jobs such as prison support, agriculture, manufacturing, or in some cases even work release programs where prisoners leave the penitentiary for work. Prison support includes jobs like cooking, cleaning, clerical jobs, or even prison maintenance (Prison Fellowship, 2019). Agriculture offers prisoners jobs like fieldwork, raising livestock, and maintaining farming equipment. Manufacturing consists of making various products like license plates, signs, furniture, sew, processed foods, etc. Fox River penitentiary was classified as a level one maximum security prison. Technically, these types of prisons should not offer work to their inmates because they hold the most risk to each other. Access to items like metal which can be used to make weapons is strictly prohibited for inmates. To circumnavigate this, Scofield befriends the inmate in charge of prison industry, a mobster named abruzzi. Through this friendship he is able to get Burrows as a fellow member of his prison industry team and reunite with his brother. Burrows at the time, is being held in solitary confinement. His crime and violent tendencies were enough to dictate him being separated from other inmates entirely. Locked away for up to 23 hours a day and only allowed in an enclosed space outside, separate from other inmates. Considering this, the real criminal justice system would likely have never allowed someone like Burrows to participate in any form of prison work. The exception to this would be in private prisons. In various states in the U.S. there are separate facilities that hold incarcerated felons. These facilities are completely owned by private companies that the state pays to house inmates.

Many private prisons use the convict leasing system where they are paid a fixed annual fee for the use of inmate labor. A separate contract system exists where prisons are paid a fixed rate per inmate per day. However, neither system pays their inmates if they are run by the state. Very few private prisons pay prisoners for their work either and if they do it is below minimum wage. The textbook justification of this is that convicts are being punished and gain skills or work habits appropriate for reformation. While also helping pay the cost of running a prison. This is completely legal as following the civil war congress passed the thirteenth amendment that stated “Neither slavery nor involuntary servitude, except for as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction” (Rennison, Dodge, 2019). Following this legislation, use of free prisoner labor in the U.S. is entirely legal for any party. The textbook even stated that “the modern-day war on drugs, in conjunction with privatization of prisons, is nothing more than a contemporary convict leasing scheme” (Rennison, Dodge, 2019). This claim brings a lot to question. Following Reagan’s war on drugs there developed an intense societal stigma against drug use. Over time this lead to mass incarceration on drug related offenses. With increasing numbers of private prisons in the United States there has been less state control of inmates. In 2016 there was 2.2 million people incarcerated in the United States overall (Kann, 2019). In 2017 there were roughly 120,000 people reported who were incarcerated in private prisons but since 2000 the number of people in private prisons has increased by 39% (The Sentencing Project, 2019). It is unclear what portion of these populations participate in prison work for free but many are likely in similar positions as Scofield and Burrows. One of the interesting representations of prison life the show depicted was of prisonization.

Prisonization is a concept developed by Donald Clemmer in the 1940s that describes “the socialization process distinct within prison subcultures that mandates accepting different values, customs, and consequences” (Rennison, Dodge, 2019). Within the show there were various social groups that controlled parts of the yard. At some points there were riots on the basis of race. At one point Scofield was challenged to pick a side in a dispute. He did not want to, and was beaten for it. The subcultures of prison can be violent and demanding forcing inmates to act in packs. If someone is not a member of a gang in a prison they run the risk of being a victim of violence on behalf of one or multiple groups. There is a character named T-Bag who is repetitively depicted as someone who takes advantage of other inmates sexually. In the supreme court case *Farmer v. Brennan* the court ruled that deliberate indifference qualified as a form of cruel or unusual punishment and the Department of Justice issued regulations to “prevent, detect and respond to sexual abuse in confinement facilities, in accordance with the Prison Rape Elimination Act of 2003 (PREA)” (Rennison, Dodge, 2019). As such, it is also unrealistic that this character would be allowed to be housed with other inmates as he has a history of abuse. The real Department of Justice may strip prisoners of the majority of their rights but they still guarantee their safety. When Scofield had a cellmate he no longer wished to be with, but could not get switched, he made it look as if he was beaten by him and immediately was switched in accordance with the laws. However, T-Bag was not the same. He repetitively subjugated younger inmates to sexual and physical abuse to the point where one commited suicide. The shows depiction of these two events shows a telling message about the impact of state influence. When states protect their citizens by ensuring they are not taken advantage of it raises support in them. When they are invisible and allow things like T-Bags crime to continue, prisons are violating fundamental human rights.

**Conclusion**

*Prison Break* follows a charming structural engineer Michael Scofield with a photographic memory and intelligent analytical as he struggled with injustice on behalf of the criminal justice system. His fight for power, respect, and loyalty is something that can be empathized with from the start. However, the show had a few plot holes. For example, his tattoo could not have been created in the time he had, he likely would not have been incarcerated with his brother, and contemporary prisons mostly focus on rehabilitative punishment so the cruel conditions the show presented would hopefully not be present in the real world. While the show does a great job creating a sympathetic backdrop for Scofield's cause it also does a great job depicting prison as a rehabilitative function of justice. The staff of the prison, knowing nothing of his plan, treat him as someone to support and rehabilitate. Considering Scofield's intention is to break his brother out of prison he is in for a crime he did not commit, the show represents crime as a civil disobedience against a corrupt system. Scofield still acted justly for an innocent man, even if what he does over the course of the show is illegal.

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