

For sex crimes, prison conditions extend beyond prison walls

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[By Roger Lancaster](#) . . . The criminal justice reform bill, hopefully dubbed the First Step Act, represents a real accomplishment – a positive development in otherwise conservative times. It is all the more remarkable that a reactionary president, who ran a tough-on-crime campaign, is now poised to sign the bill.

But let's not overstate matters. The bill essentially tweaks an otherwise punitive federal criminal justice system. It represents halting progress at best in efforts to scale back [hyper-punishment](#).

The bill contains many commendable provisions. . . . It culls back some mandatory minimums, notably reducing “three strikes you're out” from a lifetime penalty to twenty-five years (a penalty that still remains in excess of the effective maximum penalties for the worst crimes in most developed democracies).

It enhances awards for inmates' good behavior. In all, a few thousand people will get out of federal prisons when the bill is signed into law by Trump, and over time a few thousand more will get out of prison earlier than they might have otherwise.

. . .

And while penalties for some crimes have become less severe, penalties for other crimes have been becoming more severe: penalties for violent crimes, second offenses, and crimes committed with a handgun. The treatment of undocumented immigrants has become especially harsh. And waves of new laws prescribe harsher sanctions for sex offenders, including offenders whose crimes were nonviolent, noncoercive, and did not even necessarily involve sex.

Mass incarceration is no doubt the most glaring feature of the punitive turn. But the punitive state is not only about prison. . . . sex crimes also have provided a laboratory for the development of prison conditions *beyond* prison walls: a high-tech system of continuous surveillance and control.

The current news, then, has to be read against the latest number of listings on public sex-offender registries, which have ballooned to more than 912,000 – a 4.8 percent increase in listings in the last year. If sex offenders were a city, they'd rank twelfth in size, just below Austin, Texas.

People on the registries are rendered all but unemployable and unhousable: a pariah caste reduced to a state of permanent social exclusion. These are mostly nonviolent one-time offenders, and their numbers are four times larger than the entire federal prison system today.

[Read the full piece here at the Jacobin.](#)

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