# Round 5 1NC v. Marlborough PP

## PIC

#### Text: The 49 United States excluding California ought to recognize an unconditional right for incarcerated workers to strike. California should recognize a right for incarcerated workers, except those in the prison firefighter program, to strike.

#### Firefighter programs decidedly better than prison and solve megafires – saves numerous preventable deaths.

Hahn, 21

[Matthew Hahn, union electrician and meditation teacher who writes about his time in prison and issues related to criminal justice: “Sending us to fight fires was abusive. We preferred it to staying in prison.” Published by Washington Post on 10-15-21. https://www.washingtonpost.com/outlook/prison-firefighter-california-exploit/2021/10/15/3310eccc-2c61-11ec-8ef6-3ca8fe943a92\_story.html]//AD

On the perimeter of the smoldering ruins of Lassen National Forest in Northern California this summer, an orange-clad crew of wildland firefighters worked steadily to contain the Dixie Fire, the largest single wildfire in state history. Using rakes, axes and chain saws, they literally moved the landscape, cleaving burned from unburned to contain the flames. This work was dangerous, and they made just a few dollars per hour, working 24-hour shifts. But it was better than being in prison.I used to be one of the incarcerated people whom California employs to fight wildfires, and I was fortunate. During my nine years in prison for drug-related burglaries, ending in 2012, I never met a fellow prisoner who didn’t want to be in “fire camp,” as the program is known. Some dreamed of going but knew they would never be allowed to live in such a low-security facility. Others, like me, did everything in their capacity to ensure that they got there as soon as humanly possible. For the most part, this meant being savvy and lucky enough to stay out of trouble during the first few years of my incarceration. Though the program is voluntary, some well-meaning people on social media and in activist circles like to compare fire camp to slavery. Every fire season, they draw attention to its resemblance to chain gangs of the past, its low wages and its exploitative nature. Some argue that incarcerated firefighters face insurmountable barriers to careers in that field after parole, though this has started to change in recent years. Others argue that the voluntary nature of fire camp is a ruse, that consent cannot be offered by the coerced. There is some truth to these objections, but they ignore the reality of why people would want to risk life and limb for a state that is caging them: The conditions in California prisons are so terrible that fighting wildfires is a rational choice. It is probably the safest choice as well.I’m from a long line of California ranchers. Now we flee fires all the time. California prisons have, on average, three times the murder rate of the country overall and twice the rate of all American prisons. These figures don’t take into account the sheer number of physical assaults that occur behind prison walls. Prison feels like a dangerous place because it is. Whether it’s individual assaults or large-scale riots, the potential for violence is ever-present. Fire camp represents a reprieve from that risk.Sure, people can die in fire camp as well — at least three convict-firefighters have died working to contain fires in California since 2017 — but the threat doesn’t weigh on the mind like the prospect of being murdered by a fellow prisoner. I will never forget the relief I felt the day I set foot in a fire camp in Los Angeles County, like an enormous burden had been lifted.The experience was at times harrowing, as when my 12-man crew was called to fight the Jesusita Fire, which scorched nearly 9,000 acres and destroyed 80 homes in the Santa Barbara hills back in 2009. I distinctly remember our vehicle rounding an escarpment along the coast when the fire revealed itself, the plume rising and then disappearing into a cloud cover of its own making. Bright orange fingers of flame danced along the top of the mountains. The fire had been moving in the patches of grass and brush between properties, so we zigzagged our way between homes, cutting down bushes, beating away flames and leaving a four-foot-wide dirt track in our wake. I was perpetually out of breath, a combination of exertion and poor air quality. My flame-resistant clothing was soaked with sweat, and I remember seeing steam rise from my pant leg when I got too close to the burning grass. The fire had ignited one home’s deck and was slowly burning its way to the structure. We cut the deck off the house, saving the home. I often fantasize about the owners returning to see it still standing, unaware and probably unconcerned that an incarcerated fire crew had saved it. There was satisfaction in knowing that our work was as valuable as that of any other firefighter working the blaze and that the gratitude expressed toward first responders included us.

#### The program reduces recidivism and violent crime by ingraining first-responder logic.

Lockheart, 20

[Rasheed, former prisoner, 10-1-2020, "Being a Prison Firefighter Taught Me to Save Lives," Marshall Project, https://www.themarshallproject.org/2020/10/01/being-a-prison-firefighter-taught-me-to-save-lives]//AD

There’s a full-fledged firehouse equipped with engines at San Quentin Prison. To work for the department, which serves the facility and over 100 units of mostly employee housing on the grounds, prisoners have to interview with the fire chief and captains and go before a panel composed of the warden and other staff. You have to be a good fit and know how to work in a team. And they only consider people who have a record of good behavior within the last five years—that means few or no disciplinary write-ups or infractions. You cannot have been convicted of arson, sex offenses, murder or attempted escape, and you have to be at the lowest security level.When I applied in 2016, I had five years left in my sentence. Dozens of guys were trying to get into the firehouse, but they only take nine to 12 at a time. I thought I was in great shape—I was on the San Quentin A’s baseball team, and I played football. But I was nowhere close to being in firefighting shape. We had to be able to hike more than a mile with a 75-pound hose on our backs. I didn’t think I was going to make it at first.It wasn’t really the act of firefighting that made me want to join. Initially, I just wanted the job because I would get to sleep in a room by myself, eat good and train dogs. Plus those guys just look cool. Who as a kid didn’t think firefighters were awesome? Joining the department was also an opportunity to escape the politics and culture of prison. I wouldn't be confined to a cell or have COs hanging over my shoulder all the time; I would be treated like a human being. After years of incarceration I was sold. I didn’t expect it, but firefighting would be the most influential thing I’d ever taken part in. Being a member of the department meant being available 24/7 for calls inside and outside the prison. On the outside, we had house fires, medical emergencies, car accidents and grass fires. Inside we responded to cell fires, provided CPR and transported bodies from housing units to the hospital. In my nearly three years on the job, I did CPR almost 50 times. Only four people lived. The sad truth is that San Quentin has an aging population of people either dying of old age or giving up. There were suicides and a fentanyl outbreak. Sometimes we’d get five overdoses in a week. In 2017, almost 20 people died of various causes. I did CPR on every one of them. On one call, a gentleman had fallen off his bunk and hit his head. He went through three rounds of CPR and two with the defibrillator. On the third round of CPR, I felt him gasp for breath and I could feel his heartbeat underneath my hands. I said to my captain, “Holy shit, I think he's breathing!” He lived and was back on the yard two days later. I can't explain what it feels like to have someone come back to life under your hands. There's nothing like it. One thing I noticed early on was the difference between the mentalities of people on death row and those in the general population. When we were doing CPR or taking a dead body off the tier, the men on death row had a look of resignation, like ‘Damn, he made it out.’ There was one guy on death row who committed suicide. He always sticks with me because he had his beard trimmed and his hair lined up. He died perfectly groomed but with a look on his face like, I think this is a mistake. People in the general population avoided watching us carry out dead bodies. If you have a life sentence in California, it doesn’t necessarily mean you’ll be incarcerated forever. If you do all the right things and invest in yourself, there is a possibility that you will make it out. With the chance of release, the men in general population didn’t want to think about their own mortality. At times I did feel survivor's guilt about being at the firehouse living the good life. When I was responding to a call, I didn’t have time to be in an emotional space with it. The guilt would kick in when I came back from a call involving one of my incarcerated peers. These were guys I hung out with and played basketball with. But contrary to popular belief about prison culture being dominated by envy, people loved to see me rising above incarceration. I regularly had guys I didn't even know saying they were proud of me and thanking me for representing them. It was like, That’s one of ours. When I was about to be released, I already knew I couldn’t be a firefighter on the outside because my armed robbery felony would exclude me from getting a license. But in September, Gov. Newsom signed AB 2147, a law that puts me on a path to expunging my record and getting my EMT certification. It’s not a fix-all, but it makes the pathway a little bit easier .Once you're a first responder, you're always a first responder. It never leaves your system. There's not a day that goes by that I don't smell smoke. Once you've lived that life, it's a hard thing to leave behind.

#### Megafires kill biodiversity.

Stevens, 12

[Bonnie, 5-15-2012, "An era of mega fires," Arizona Daily Sun, https://azdailysun.com/news/science/an-era-of-mega-fires/article\_a14f3c7d-7a36-5c12-a48e-75a8ea4e3fff.html]//AD

"Mega fires are huge, landscape-scale fires in excess of 100-thousand acres," said Covington, executive director of the Ecological Restoration Institute (ERI) at Northern Arizona University. "We're seeing this throughout the West, but Arizona is on the leading edge." Covington says mega fires are symptoms of an unhealthy forest caused by a century of actions -- mostly fire suppression, and overgrazing during the late 1800s -- that have changed the structure and function of ponderosa pine and dry mixed conifer forests."We need to stop being surprised by the types of fires we're having," said Summerfelt, wildland fire management officer for the city of Flagstaff. "My first fire was on the North Kaibab and it was considered huge. It was 20 acres. A 20-acre fire now means nothing. So in those three-and-a-half decades in my career, I've been able to watch fire change in size and intensity to levels today that even a decade ago would have been unthinkable. And we're not done breaking records." Covington says Arizona is set up for three more enormous crown fires across the Mogollon Rim that burn through the tops of old growth trees and can ignite spot fires as far as 3 miles ahead of the blaze. "There's the Payson to Winslow corridor, the Sedona to Flagstaff corridor and the Prescott corridor. If we don't get out in front of these and do restoration treatments, it's just going to be a matter of time before we have three more major landscapes burn up." As we approach the 10th anniversary of the Rodeo-Chediski Fire, scientists, firefighters and natural resource managers are examining today's forest conditions and reviewing lessons learned from the state's two largest fires. To compare, both fires were started by people on warm, dry, windy days. "With the Wallow Fire, we knew we were in extreme conditions. We had fuel everywhere and our probability of ignition for any fire that hit the ground was 100 percent. With 62 mph wind gusts, it was blowing so hard it was tough to walk," said Zornes. Former Forest Service ranger and firefighter Jim Paxon, now Arizona Game and Fish Department spokesperson, describes the 468,000-acre Rodeo-Chediski Fire as a plume-dominated fire. "It was pretty much fuels related, fed by the millions of excess trees in our overcrowded forests. It had extremely high energy. When I started fighting fire in the late'60s we didn't have these big columns of plumes that would build up, collapse in an explosion on the ground and create hurricane winds. This didn't happen until the '90s." As a result, 49 percent of the area in the Rodeo-Chediski Fire was considered severely burned. For the 538,000-acre Wallow Fire, that figure is 28 percent. "It could take a couple hundred years for these forests to return back to what they were," said Alpine District Ranger Rick Davalos. "Some of the severely burned area includes older growth trees." ERI researchers say crown fires that kill old growth trees also destroy critical wildlife habitat."The Mexican spotted owl is the biggest concern we have as an endangered species that we're trying to help out," Paxon said. "The Forest Service is under extreme pressure not to do any cutting around the nesting sites. So between the two fires we lost 20 percent of the Mexican spotted owl nests that exist in the world." In addition, heat from the Wallow Fire baked streams and killed aquatic life. Then floods, from monsoon rains after the fire, moved silt into rivers and lakes making matters worse."The problem with these fires is they remove so much of the vegetation they can create hydrophobic soils. The water won't penetrate the soil. It runs across the surface so all that ash and sediment ends up in streams and rivers. In the Wallow Fire it ruined the habitat for the re-introduced Apache trout," Covington said. "So, whether you look at fish or you look at birds or you look at mammals, the impact of these mega fires over the long haul is very negative."

#### Biodiversity loss causes extinction and turns climate change

Torres 16

Phil Torres, Scholar at the Institute for Ethics and Emerging Technologies, 5-20-2016, "Biodiversity Loss: An Existential Risk Comparable to Climate Change," Future of Life Institute, https://futureoflife.org/2016/05/20/biodiversity-loss/

Biodiversity Loss: An Existential Risk Comparable to Climate Change According to the Bulletin of Atomic Scientists, the two greatest existential threats to human civilization stem from climate change and nuclear weapons. Both pose clear and present dangers to the perpetuation of our species, and the increasingly dire climate situation and nuclear arsenal modernizations in the United States and Russia were the most significant reasons why the Bulletin decided to keep the Doomsday Clock set at three minutes before midnight earlier this year. But there is another existential threat that the Bulletin overlooked in its Doomsday Clock announcement: biodiversity loss. This phenomenon is often identified as one of the many consequences of climate change, and this is of course correct. But biodiversity loss is also a contributing factor behind climate change. For example, deforestation in the Amazon rainforest and elsewhere reduces the amount of carbon dioxide removed from the atmosphere by plants, a natural process that mitigates the effects of climate change. So the causal relation between climate change and biodiversity loss is bidirectional.

## DA

#### When incarcerated workers strike, they face immediate crackdown and are punished with solitary confinement

**Kozlowska 16** (Hanna is a reporter on Quartz's investigations team. She previously worked for The New York Times as a writer for NYT Opinion and was a fellow at Foreign Policy magazine. She was also a stringer for the Times in Poland. She graduated from Swarthmore College. <https://qz.com/777415/an-unprecedented-prison-strike-hopes-to-change-the-fate-of-the-900000-americans-trapped-in-an-exploitative-labor-system/>) //HWLD

Today, nearly 900,000 US prisoners work while incarcerated. The Bureau of Prisons, which oversees all federal inmates requires that all prisoners (barring medical reasons) work. State prisoners are in the same boat; according to Eric Fink, a professor at Elon Law school, in all or nearly all US states prisoners must work. If they refuse, they can be punished with solitary confinement, revoking visitation, or other measures.

#### Solitary confinement is the worst possible method of punishment that tortures and inflicts psychological harm on prisoners, a common practice utilized by authorities

**Melzer 20** (Mr. Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, is part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent of any government or organisation and serve in their individual capacity. https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25633)//HWLD

"These practices trigger and exacerbate psychological suffering, in particular in inmates who may have experienced previous trauma or have mental health conditions or psychosocial disabilities," Melzer noted. "The severe and often irreparable psychological and physical consequences of solitary confinement and social exclusion are well documented and can range from progressively severe forms of anxiety, stress, and depression to cognitive impairment and suicidal tendencies. "This deliberate infliction of severe mental pain or suffering may well amount to psychological torture," the Special Rapporteur said. Inflicting solitary confinement on those with mental or physical disabilities is prohibited under international law. Even if permitted by domestic law, prolonged or indefinite solitary confinement cannot be regarded as a "lawful sanction" under the Mandela Rules. The Mandela Rules, updated in 2015, are a revised minimum standard of UN rules that defines solitary confinement as "the confinement of prisoners for 22 hours or more a day without meaningful human contact." Solitary confinement may only be imposed in exceptional circumstances, and "prolonged" solitary confinement of more than 15 consecutive days is regarded as a form of torture.

#### The US avg length of solitary confinement is well beyond the limit for torture

**Rockwood et al 14** (journalist for PBS reporting on prisons https://www.pbs.org/wgbh/pages/frontline/criminal-justice/locked-up-in-america/how-much-time-u-s-prisoners-spend-in-solitary/)//HWLD

Most corrections officials don’t call it solitary. They refer instead to punitive segregation, which typically has a time limit, usually 30 days or less, for violating prison rules — and administrative segregation, also known as restricted housing or special housing units. “Ad seg” is used to isolate gang members or those with a history of assaulting others, but often those in protective custody or with mental-health problems, and in some states, juveniles, end up there, too. Stays typically start at 30 days but can last indefinitely. If inmates continue to misbehave in isolation, their punishment is typically more seg time.

#### The exacerbation or creation of mental health problems from solitary confinement leads to recidivism

**Dean 20** ( cornell journalist reporting findings regarding cornell study and relationship between solitary confinement and reintegration with prisoners <https://news.cornell.edu/stories/2020/06/short-stays-solitary-can-increase-recidivism-unemployment)//HWLD>

For corrections officials, recidivism and employment are two of the most important measures of former inmates’ success at re-entering society. New Cornell research shows inmates who have spent even short periods of time in solitary confinement may face worse outcomes on both fronts. “Being placed in solitary confinement substantially increases the risk of committing more crimes after getting released from prison, and may decrease the probability of employment,” said Christopher Wildeman, professor of policy analysis and management in the College of Human Ecology. Wildeman and co-author Lars Andersen – both are researchers for the Rockwool Foundation Research Unit in Denmark – reported those findings in “Long-Term Consequences of Being Placed in Disciplinary Segregation,” published March 12 in Criminology. The study offers one of the strongest assessments yet of how brief stays in solitary confinement – usually less than a week and sometimes as short as a day or two – may affect post-release outcomes.

## CP

#### CP Text: A just government ought to enact criminal justice reform by improving prison conditions and increasing wages.

#### The net benefit is strikes hurt innocent bystanders and cause more layoffs than union victories.

McElroy 19 [John McElroy, editorial director of Blue Sky Productions and producer of “Autoline Detroit” for WTVS-Channel 56, Detroit. "Strikes Hurt Everybody", 10-25-2019, accessed 11-1-2021, https://www.wardsauto.com/ideaxchange/strikes-hurt-everybody] HWIC

The recent strike at General Motors shows traditional labor practices must change. Not only did the strike cause considerable financial damage at GM, it drove another wedge between the company and its workers. And worst of all, it hurt a lot of innocent bystanders. Thanks to the UAW, the hourly workforce at GM earns the highest compensation in the U.S. auto industry. But you would never know that by listening to union leaders. They attack GM as a vile and heartless corporation that deliberately tries to oppress honest working men and women. Of course, they kind of have to say that. Union officials are elected, not appointed, and they are just as political as any Republican or Democrat. No UAW official ever got elected by saying, “You know what? Management is right. We’ve got to make sure our labor costs are competitive.” It’s the opposite. Union leaders get elected by attacking management’s greed and arrogance. This creates a poisonous relationship between the company and its workforce. Many GM hourly workers don’t identify as GM employees. They identify as UAW members. And they see the union as the source of their jobs, not the company. It’s an unhealthy dynamic that puts GM at a disadvantage to non-union automakers in the U.S. like Honda and Toyota, where workers take pride in the company they work for and the products they make. Attacking the company in the media also drives away customers. Who wants to buy a shiny new car from a company that’s accused of underpaying its workers and treating them unfairly? Data from the Center for Automotive Research (CAR) in Ann Arbor, MI, show that GM loses market share during strikes and never gets it back. GM lost two percentage points during the 1998 strike, which in today’s market would represent a loss of 340,000 sales. Because GM reports sales on a quarterly basis we’ll only find out at the end of December if it lost market share from this strike. UAW members say one of their greatest concerns is job security. But causing a company to lose market share is a sure-fire path to more plant closings and layoffs. Even so, unions are incredibly important for boosting wages and benefits for working-class people. GM’s UAW-represented workers earn considerably more than their non-union counterparts, about $26,000 more per worker, per year, in total compensation. Without a union they never would have achieved that. Strikes are a powerful weapon for unions. They usually are the only way they can get management to accede to their demands. If not for the power of collective bargaining and the threat of a strike, management would largely ignore union demands. If you took away that threat, management would pay its workers peanuts. Just ask the Mexican line workers who are paid $1.50 an hour to make $50,000 BMWs. But strikes don’t just hurt the people walking the picket lines or the company they’re striking against. They hurt suppliers, car dealers and the communities located near the plants. The Anderson Economic Group estimates that 75,000 workers at supplier companies were temporarily laid off because of the GM strike. Unlike UAW picketers, those supplier workers won’t get any strike pay or an $11,000 contract signing bonus. No, most of them lost close to a month’s worth of wages, which must be financially devastating for them. GM’s suppliers also lost a lot of money. So now they’re cutting budgets and delaying capital investments to make up for the lost revenue, which is a further drag on the economy. According to CAR, the communities and states where GM’s plants are located collectively lost a couple of hundred million dollars in payroll and tax revenue. Some economists warn that if the strike were prolonged it could knock the state of Michigan – home to GM and the UAW – into a recession. That prompted the governor of Michigan, Gretchen Whitmer, to call GM CEO Mary Barra and UAW leaders and urge them to settle as fast as possible. So, while the UAW managed to get a nice raise for its members, the strike left a path of destruction in its wake. That’s not fair to the innocent bystanders who will never regain what they lost. I’m not sure how this will ever be resolved. I understand the need for collective bargaining and the threat of a strike. But there’s got to be a better way to get workers a raise without torching the countryside.

**An unconditional right legalizes strikes with misconduct and without a legal purpose – turns case by giving strikes a bad rep**

**Guerin J.D. 13**

Lisa Guerin, J.D., 2013-06-17 (date from source code), "Strikes," nolo, <https://www.nolo.com/legal-encyclopedia/strikes.html/> //AW

No-Strike Clauses Even **strikes with a legal purpose are not protected** by the NLRA If the union's contract with the employer (the [collective bargaining](https://www.nolo.com/legal-encyclopedia/collective-bargaining.html) agreement) includes a no-strike clause. With a few limited exceptions (for example, if employees are refusing to work because of unusually dangerous working conditions), a strike that violates a no-strike provision is illegal. Strike Misconduct A strike can also become unlawful if strikers engage in serious misconduct, such as violence or threats, physically preventing other from entering or leaving the workplace, or sit-down strikes, in which employees refuse to leave the workplace and refuse to work. These strikes are not protected by the [NLRA](https://www.nolo.com/legal-encyclopedia/free-books/employee-rights-book/chapter15-2.html).

## Case

#### Top-level be skeptical of the aff-

#### 1. They give zero uniqueness of why prisoners aren’t striking enough in the squo- in fact, most of their cards cite examples of prisoners literally going on strike. That means all of their impacts should already have triggered. NONE of their ev ever says that we need to give prisoners a right to strike because they currently don’t have that, they just talk about why the prison strikes we literally have right now are good and helpful – kelley 18 says “the striking workers of today”

#### 2. Double-bind- if they defend only non-violent strikes then they get no solvency because most strikes will turn violent or result in crackback which is proven by their own ev. If they want to defend all prison strikes they still get no solvency because prisoners are already striking

### Advantage

#### Prison strikes and increased wages won’t decrease the amount of recidivism – employer discrimination makes it very difficult to find a job.

Tanzina Vega, 10-30-2015, (Journalist on inequality in the United States), "Out of prison and out of work: Jobs out of reach for former inmates," CNNMoney, https://money.cnn.com/2015/10/30/news/economy/former-inmates-unemployed/

Former inmates often face enormous challenges finding work after they've been released: not only have many of them been out of the workforce for years, but often their criminal record prevents them from even getting their foot in the door in the first place. A recent survey by the Ella Baker Center for Human Rights found that 76% of former inmates said finding work after being released was difficult or nearly impossible. Nearly two thirds of the respondents were unemployed or underemployed five years after being released from prison. Imprisoned by "the Box" At 41, John Jones has spent one third of his life behind bars. His first bid came at the age of 16, when he was sentenced to eight years in a prison for young offenders for being in a car during a drive by murder. He was released in December 1998 and within two weeks he found a job working as a warehouse shipping clerk. For Jones, a big part of landing that job was being able to meet the hiring manager in person. "When you have the opportunity to sit down face-to-face for an interview, you have more of an opportunity to get a job," Jones said. But in July 2012, after Jones served five years in prison on an assault charge -- his second stint behind bars -- he faced another hurdle: the box on the online job applications that told employers he had a felony conviction in his past. While he had seen the box sporadically on applications in the past, it was now everywhere he applied. Jones applied for jobs as a shipping clerk, forklift driver, retail associate and even contacted multiple temp agencies desperately looking for "any type of job." No one called him back. Jones felt his job applications were going into a "black hole." Jones was unemployed for 18 months doing "whatever it took," to get by, even occasionally "going back to hustling," he said. He finally landed two part-time jobs, one working security at a fast food restaurant and another as a server at an Indonesian restaurant. In February, he had just started working at a non-profit organization with victims of violent crime when he was arrested again for a parole violation -- one that Jones says he was not aware of. In August 2015, soon after he was released, Jones started working at The Ella Baker Center as criminal justice advocate. Many employers have a mental block against hiring people with criminal records, said Philip Genty, the director of the Prisoners and Families Clinic at Columbia Law School. "You can almost look at incarceration as a contagious disease," Genty said. "Once somebody has that taint, they are just looked at differently. It's not even at the rational level." Hannigan of Give Something Back Office Supplies said many employers "assume that everybody that comes out of prison is Charles Manson," when the opposite is often the case. Researchers from the Harvard Kennedy School who followed 122 men and women who had been released from the state prison in Massachusetts found that six months to a year after their release, just over half of the group had found a job. Data from the New York State Division of Parole showed that only 36% of able-bodied parolees who had been out of prison for 30 days or more were employed in 2014.

### Solvency

#### There’s already a law that prevents violence in prisons but it’s being super easily circumvented. That means there’s no reason why a R2S for prisoners won’t lead to violence

Equal Justice Initiative ND [EJI is a private, 501(c)(3) nonprofit organization that provides legal representation to people who have been illegally convicted, unfairly sentenced, or abused in state jails and prisons. We challenge the death penalty and excessive punishment and we provide re-entry assistance to formerly incarcerated people. “Prison Conditions.” Equal Justice Initiative. <https://eji.org/issues/prison-conditions/>] HW AL

2 Escalating Violence **The Constitution requires that prison and jail officials protect incarcerated people from physical harm and sexual assault. But facilities nationwide are failing to meet this fundamental duty, putting incarcerated people at risk** of being beaten, stabbed, and raped. Alabama’s prisons are the most violent in the nation. The U.S. Department of Justice found in a statewide investigation that Alabama routinely violates the constitutional rights of people in its prisons, where homicide and sexual abuse is common, knives and dangerous drugs are rampant, and incarcerated people are extorted, threatened, stabbed, raped, and even tied up for days without guards noticing. Serious understaffing, systemic classification failures, and official misconduct and corruption have left thousands of incarcerated individuals across Alabama and the nation vulnerable to abuse, assaults, and uncontrolled violence.3

### Framework

#### The standard is maximizing expected well-being:

#### 1. Governments must use util since they can’t focus on every individual rights violation

Goodin 95 Robert, 1995, Philosopher of Political Theory, Public Policy, and Applied Ethics. Utilitarianism as a Public Philosophy, Cambridge University Press, pg. 26-27

The great advantage of utilitarianism as a guide to public conduct is that it avoids gratuitous sacrifices, it ensures as best we are able to ensure in the uncertain world of public policy-making that policies are sensitive to people’s interests or desires or preferences. The great failing of more deontological theories, applied to those realms, is that they fixate upon duties done for the sake of duty rather than for the sake of any good that is done by doing one’s duty. Perhaps it is permissible (perhaps it is even proper) for private individuals in the course of their personal affairs to fetishize duties done for their own sake. It would be a mistake for public officials to do likewise, not least because it is impossible. The fixation on motives makes absolutely no sense in the public realm, and might make precious little sense in the private one even, as Chapter 3 shows. The reason public action is required at all arises from the inability of uncoordinated individual action to achieve certain morally desirable ends. Individuals are rightly excused from pursuing those ends. The inability is real; the excuses, perfectly valid. But libertarians are right in their diagnosis, wrong in their prescription. That is the message of Chapter 2. The same thing that makes those excuses valid at the individual level – the same thing that relieves individuals of responsibility – makes it morally incumbent upon individuals to organize themselves into collective units that are capable of acting where they as isolated individuals are not. When they organize themselves into these collective units, those collective deliberations inevitably take place under very different circumstances and their conclusions inevitably take very different forms. Individuals are morally required to operate in that collective manner, in certain crucial respects. But they are practically circumscribed in how they can operate, in their collective mode. And those special constraints characterizing the public sphere of decision-making give rise to the special circumstances that make utilitarianism peculiarly apt for public policy-making, in ways set out more fully in Chapter 4. Government house utilitarianism thus understood is, I would argue, a uniquely defensible public philosophy.

#### 2. Extinction justifies moral loopholes – therefore, ignoring it is unethical.

Bok, 1988 (Sissela Bok, Professor of Philosophy, Brandeis, Applied Ethics and Ethical Theory, Ed. David Rosenthal and Fudlou Shehadi, 1988)

The same argument can be made for Kant’s other formulations of the Categorical Imperative: “So act as to use humanity, both in your own person and in the person of every other, always at the same time as an end, never simply as a means”; and “So act as if you were always through actions a law-making member in a universal Kingdom of Ends.” No one with a concern for humanity could consistently will to risk eliminating humanity in the person of himself and every other or to risk the death of all members in a universal Kingdom of Ends for the sake of justice. To risk their collective death for the sake of following one’s conscience would be, as Rawls said, “irrational, crazy.” And to say that one did not intend such a catastrophe, but that one merely failed to stop other persons from bringing it about would be beside the point when the end of the world was at stake.For although it is true that we cannot be held responsible for most of the wrongs that others commit, the Latin maxim presents a case where we would have to take such a responsibility seriously—perhaps to the point of deceiving, bribing, even killing an innocent person, in order that the world not perish.

#### Prefer –

#### You can weigh structural violence under util but it allows us to also discuss other impacts which is a clear net benefit

#### Devolves to util – it’s impossible to weigh between two structural violence impacts without devolving to util calc so their FW is just a hidden disguise to weed out impacts they don’t want to debate

#### Their actor is the US – focusing on structural violence turns case because it results in policies that ignore public majority threats which results in backlash and more violence

#### Reliance on the vague concept of “structural violence” recreates oppression.

#### Theories of “structural violence” distract solutions to material conditions in favor of vague criticism of poorly defined systems. Existing structures will co-opt your criticism and the process trades off with more effective reforms.

#### 1.Structural violence obscures analysis necessary to reduce poverty and violence- this card is on fire. Boulding 77

KennethBoulding, Prof Univ. of Michigan and UC Boulder, Journal of Peace Research 1977; 14; 75 p. Boulding p. 83-4

Finally, we come to the great Galtung metaphors of ’structural violence’ and ’positive peace’. They are metaphors rather than models, and for that very reason are suspect. Metaphors always imply models and metaphors have much more persuasive power than models do, for models tend to be the preserve of the specialist. But when a metaphor implies a bad model it can be very dangerous, for it is both persuasive and wrong. The metaphor of structural violence I would argue falls right into this category. The metaphor is that poverty, deprivation, ill health, low expectations of life, a condition in which more than half the human race lives, is ’like’ a thug beating up the victim and taking his money away from him in the street, -or it is ’like’ a conqueror stealing the land of the people and reducing them to slavery. The implication is that poverty and its associated ills are the fault of the thug or the conqueror and the solution is to do away with thugs and conquerors. While there is some truth in the metaphor, in the modem world at least there is not very much. Violence, whether of the streets and the home, or of the guerilla, of the police, or of the armed forces, is a very different phenomenon from poverty. The processes which create and sustain poverty are not at all like the processes which create and sustain violence, although like everything else in the world, everything is somewhat related to everything else. There is a very real problem of the structures which lead to violence, but unfortunately Galtung’s metaphor of structural violence as he has used it has diverted attention from this problem. Violence in the behavioral sense, that is, somebody actually doing damage to somebody else and trying to make them worse off, is a ’threshold’ phenomenon, rather like the boiling over of a pot. The temperature under a pot can rise for a long time without its boiling over, but at some threshold boiling over will take place. The study of the structures which underlie violence are a very important and much neglected part of peace research and indeed of social science in general. Threshold phenomena like violence are difficult to study because they represent ’breaks’ in the system rather than uniformities. Violence, whether between persons or organizations, occurs when the ’strain’ on a system is too great for its ‘~s~trength’. The metaphor here is that violence is like what happens when we break a piece of chalk. Strength and strain, however, especially in social systems, are so interwoven historically that it is very difficulty to separate them. The diminution of violence involves two possible strategies, or a mixture of the two; one is the increase in the strength of the system, ~the other is the diminution of the strain. The strength of systems involves habit, culture, taboos, and sanctions, all these things, which enable a system to stand Increasing strain without breaking down into violence. The strains on the system are largely dynamic in character, such as arms races, mutually stimulated hostility, changes in relative economic position or political power, which are often hard to identify. Conflict of interest are only part of the strain on a system, and not always the most important part. It is very hard for people to know their interests, and misperceptions of interests take place mainly through the dynamic processes, not through the structural ones. It is only perceptions of interest which affect people’s behavior, not the ’real’ interests, whatever these may be, and the gap between perception and reality can be very large and resistant to change. However, what Galitung calls structural violence (which has been defined by one unkind commentator as anything that Galltung doesn’~t like) was originally defined as any unnecessarily low expectation of life, an that assumption that anybody who dies before the allotted span has been killed, however unintentionally and unknowingly, by somebody else. The concept has been expanded to include all the problems off poverty, destitution, deprivation, and misery. These are enormously real and are a very high priority for research and action, but they belong to systems which are only peripherally related to the structures which, produce violence. This is not to say that the cultures of violence and the cultures of poverty are not sometimes related, though not all poverty cultures are culture of violence, and certainly not all cultures of violence are poverty cultures. But the dynamics of poverty and the success or failure to rise out off ’it are of a complexity far beyond anything which the metaphor of structural violence can offer. While the metaphor of structural violence performed a ’service in calling attention to a problem, it may have done a disservice in preventing us from finding the answer.