

Research Paper

A Study on People's Opinion on Condition of Prisoners in Karnataka

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ABSTRACT

The research on prisoners' conditions involves the investigation of various aspects of the experiences of individuals who are incarcerated. This research focused on the physical conditions of prisoners, the mental and physical health of prisoners, the effects of solitary confinement, the impact of imprisonment on families and communities, and the efficacy of rehabilitation programs. The objective of the study is to understand the condition of prisoners in Karnataka and this research can provide insight into the challenges faced by prisoners and inform policies and interventions aimed at improving their well-being and reducing recidivism rates. Additionally, this research can shed light on the broader societal issues related to crime and punishment, including the disproportionate incarceration of certain populations, the impact of mass incarceration on communities, and the potential for alternative approaches to criminal justice.

Keywords: Prisoner, Condition, People's Opinion, Karnataka

Prisoners are individuals who have been convicted of a crime and sentenced to confinement by a court of law. The confinement can be in a variety of settings, including jails, prisons, detention centres, or correctional facilities. The primary purpose of imprisonment is to punish offenders for their criminal behaviour, protect society from their harmful actions, and rehabilitate them so that they can become law-abiding citizens upon their release. The definition of prisoners can vary depending on the legal jurisdiction and the nature of the offense committed. Generally, individuals who have been found guilty of a crime and sentenced to a period of incarceration are considered prisoners. This can include individuals who have committed minor offenses, such as traffic violations or petty theft, as well as those who have committed serious crimes, such as murder or rape. Prisoners can be further classified based on the type of offense committed, the length of the sentence, and the severity of the punishment. For example, some prisoners may be sentenced

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to life imprisonment or even the death penalty, while others may receive shorter sentences or be placed on probation. Some prisoners may also be classified as maximum security or minimum security, depending on their level of risk and the nature of the crime committed.

Prisoners can also be classified based on their gender, age, and other personal characteristics. Women prisoners, for example, may have different needs and challenges than male prisoners, such as access to feminine hygiene products and specialized healthcare services. Similarly, juvenile prisoners may require different types of rehabilitation programs than adult prisoners due to their developmental needs and circumstances.

The experience of being a prisoner can be challenging and difficult, both for the individual and their loved ones. Prisoners may face a loss of freedom, social isolation, and stigmatization from society. They may also experience physical and emotional abuse from other inmates or staff members, as well as limited access to basic necessities such as food, clothing, and medical care.

In many cases, prisoners may also struggle with mental health issues such as depression, anxiety, or post-traumatic stress disorder (PTSD) as a result of their confinement. This can be particularly challenging for prisoners who have been subjected to solitary confinement, which is a form of punishment where individuals are isolated from other inmates for extended periods of time.

Despite these challenges, prisoners may also have access to a range of programs and services aimed at supporting their rehabilitation and reintegration into society. These can include educational programs, vocational training, counselling services, and substance abuse treatment. Additionally, prisoners may have access to religious services, visitation rights, and other forms of support from their families and communities.

The conditions of prisoners have been a topic of debate for decades, with many arguing that the prison system fails to provide adequate care and rehabilitation for inmates. This essay will examine the current state of conditions for prisoners, including issues such as overcrowding, lack of medical care, and mistreatment by staff. We will also explore potential solutions for improving the treatment of prisoners and ensuring that their basic rights are protected.

Overcrowding: One of the most significant issues facing prisoners today is overcrowding. Many prisons in the United States and other countries are operating at well above their intended capacity, which can lead to a range of problems for inmates. Overcrowding can make it difficult for prisoners to access basic services such as healthcare, education, and counselling, and can also contribute to the spread of disease and illness.

In addition, overcrowding can increase tensions between prisoners and lead to an increase in violence and other forms of misconduct. For example, in California, where the prison system has been plagued by overcrowding for years, there have been numerous reports of inmate-on inmate violence, as well as incidents of staff abuse and mistreatment.

Lack of Medical Care: Another significant issue facing prisoners is a lack of access to medical care. Many inmates suffer from chronic illnesses or mental health issues, which can be exacerbated by the stress and trauma of incarceration. However, due to a lack of

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resources and funding, many prisons are unable to provide adequate medical care to their inmates.

In some cases, prisoners may be denied necessary medications or treatment, leading to serious health complications or even death. For example, in 2015, a 27-year-old man in a Texas jail died of a bacterial infection after being denied medical care for several days.

Mistreatment by Staff: Another issue facing prisoners is mistreatment by staff. In some cases, correctional officers or other staff members may use excessive force or engage in other forms of misconduct, such as verbal abuse or sexual harassment. This can lead to long-lasting trauma and psychological damage for prisoners, as well as physical injuries.

For example, in 2019, a video emerged showing a correctional officer in Florida slamming a handcuffed inmate's head into a concrete floor, causing serious injuries. In another case, a former inmate in New York filed a lawsuit alleging that she was repeatedly sexually assaulted by a guard while in custody.

Basic rights that can be claimed by the prisoner Prisoners, like all human beings, have certain basic rights that should be respected regardless of their legal status. These rights include the right to humane treatment, the right to medical care, the right to access to legal counsel, and the right to be free from discrimination and abuse. While some of these rights may be limited by the fact of confinement, prisoners are still entitled to certain basic protections under the law.

One of the most important prisoner rights is the right to be free from cruel and inhumane treatment. This includes protection from physical abuse, sexual assault, and other forms of violence. In addition, prisoners have the right to adequate food, clothing, and medical care, as well as the right to access to educational and vocational programs that can help them prepare for life after release.

Another important aspect of prisoners' rights is access to legal counsel. This includes the right to representation in court and the right to appeal decisions that affect their legal status. It also includes the right to access to legal materials and resources that can help them understand their legal rights and obligations.

Prisoners also have the right to be free from discrimination and abuse based on their race, gender, sexual orientation, or other personal characteristics. This includes protection from harassment, retaliation, and other forms of mistreatment by prison staff or other prisoners. In addition, prisoners have the right to practice their religious beliefs and to receive pastoral care from chaplains or other spiritual leaders.

Finally, prisoners have the right to access to information about their legal rights and the conditions of their confinement. This includes access to the rules and regulations governing the prison, as well as information about their personal files and medical records. Prisoners also have the right to communicate with family members and others outside the prison, subject to reasonable restrictions on time, place, and manner.

Unfortunately, in many cases, prisoners' rights are not fully respected or enforced. This can be due to lack of resources, inadequate training for prison staff, or a lack of political will to

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enforce the law. In addition, some prisoners may face additional barriers to exercising their rights, such as language barriers, disabilities, or a lack of access to legal resources.

To address these challenges, there have been a number of efforts to promote and protect prisoners' rights at the national and international levels. These efforts have included the development of international human rights standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners, as well as national laws and regulations that protect prisoners' rights.

In addition, there are a number of non-governmental organizations (NGOs) and advocacy groups that work to promote prisoners' rights and to provide support and resources to prisoners and their families. These groups may offer legal services, education and training, or other forms of assistance to help prisoners exercise their rights and prepare for life after release.

REVIEW OF LITERATURE

Looking behind the bars: emerging health issues for people in prison, British Medical Bulletin, by S Stürup-Toft, E J O'Moore, E H Plugge March 2018

The global prison population is not only growing but changing too. There remain some constants—that those in prison are still from the poorest, most underserved sections of society and that they have considerable health needs. However, the nature of those needs has changed as the population in prison becomes increasingly elderly and increasingly likely to experience noncommunicable diseases. Infectious diseases remain an issue in prisons and so it is clear that the 'double burden' of disease is being seen in prisons across the world. Non-communicable diseases are now the leading cause of deaths in prison in England and Wales and this may represent the start of a global trend. Those responsible for prisons and prison healthcare must respond rapidly to these changes if the needs of this vulnerable population are to be effectively met in the future. Politicians and policy makers have an equally important longer-term role in addressing the structural determinants of crime and ill-health, creating the social and economic conditions where people flourish.

Medical health condition of prisoners and discrepancy in facilities among the states of Uttar Pradesh, Haryana and Delhi by Mr. Avinash Krishna Goswami, Dr. Ritu Gautam

The right to healthcare is a fundamental right guaranteed by the constitution. Many developed nations such as the USA, Germany, and Russia have exceptional medical facilities and were able to handle the Covid-19 pandemic relatively well due to their advanced jail management systems and use of cutting-edge technology to track and isolate inmates. However, India's diverse culture and psychology present unique challenges when it comes to analyzing the situation there. This paper addresses the issues surrounding medical services in Indian prisons by presenting various statistics and conducting a comparative analysis of the jail administration systems in NCT of Delhi, Haryana, and Uttar Pradesh. Unfortunately, the Indian prison administration system suffers from numerous flaws and gaps in its medical infrastructure, policies, and implementation. The lack of training and expertise among administrators in managing medical services, as well as a low expenditure ratio on medical services and equipment, contributes to inequalities within the system. In particular, the budget is primarily spent on food for inmates rather than medical services. The Covid-19 pandemic has underscored the importance of medical services in the prison system and the need to address inequalities within the administrative system.

Who Wants to Die in Here? Perspectives of Prisoners with Chronic Conditions Susan J. Loeb, PhD, RN, FGSA, FAAN, Associate Professor,corresponding author Janice Penrod, PhD, RN, FGSA, FAAN, Director, Gwen McGhan, MN, RN, Erin Kitt-Lewis, MS, RN, and Christopher S. Hollenbeak, PhD

The U.S. prison population, like the rest of society, is getting older. According to Human Rights Watch¹, the number of sentenced federal and state prisoners who are 65 years old or older increased 94 times faster than the total sentenced prisoner population between 2007 and 2010. Tough on crime policies such as mandatory minimum sentences and three strikes laws² have resulted in a 600% increase in life sentences without parole from 1972 to 2009 in the U.S.¹ One in ten state prisoners serve a life sentence, and this number is expected to grow as several states including Iowa, Illinois, Louisiana, Maine, South Dakota, and Pennsylvania have policies that exclude the option for parole for life sentences. As a result, more elderly people are living and dying in US prisons.

Many prisoners with life sentences will spend decades in prison and die there, while others are in such poor health when they enter prison that they will die long before any chance for parole. In fact, chronic medical conditions account for 89% of prisoner deaths in US state prisons.

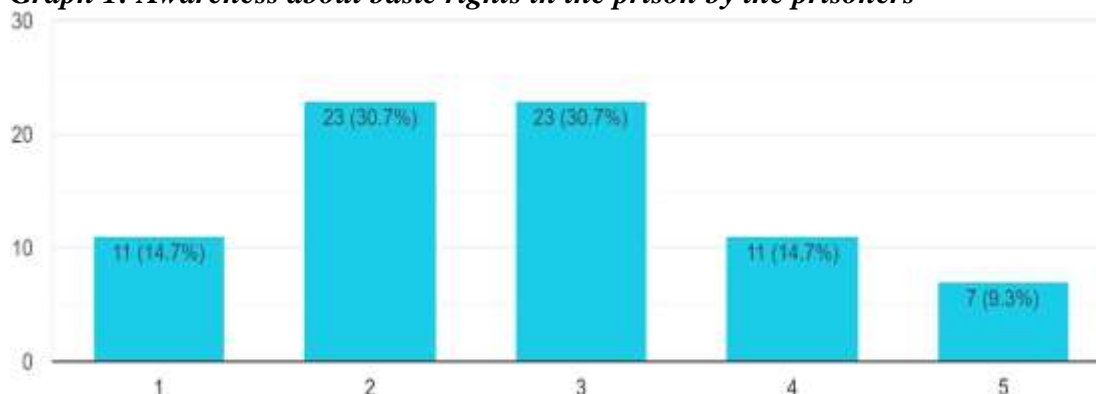
Prisoners' access to care by health care professionals is ensured by the 1976 case of *Estelle v. Gamble*, while the Sentencing Reform Act of 1984 allowed for compassionate release of prisoners for extraordinary and compelling circumstances, such as terminal illness, if they are medically eligible and approvable based on correctional and legal evidence. Compassionate release is possible for federal and most state prisoners, but only a small fraction are granted release. It is imperative to provide high-quality healthcare to dying prisoners as an ethical obligation.

METHODOLOGY

The objective of the study is to understand the condition of prisoners in Karnataka. The primary data is collected from the people of Karnataka belong to the age group of 18 – 60 years. Qualitative analysis is conducted as a part of data analysis. The data was collected through google form that was circulated among the people of Karnataka. The responses are collected in the form of 5 Point Likert Scale ranging from 1: Strongly Disagree 2: Disagree 3: Neutral 4: Agree 5: Strongly Agree. The data is then analysed and presented in a statistical manner.

DATA ANALYSIS & DISCUSSION

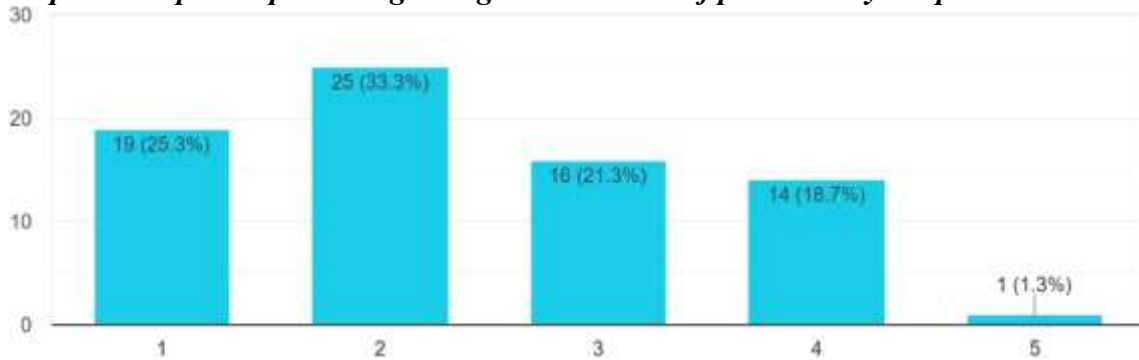
Graph 1: Awareness about basic rights in the prison by the prisoners



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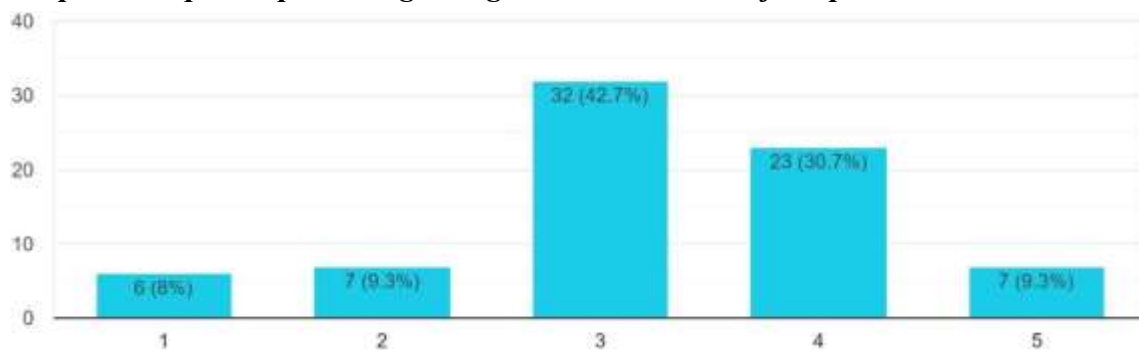
The above graph represents the percentage of agreement of the respondents to the above asked question. About 30.7 % disagree that the prisoners are aware of their basic rights in the prison. About 9.3% agree that prisoners are aware of their basic rights in prison.

Graph 2: People's Opinion regarding the treatment of prisoners by the prison attenders



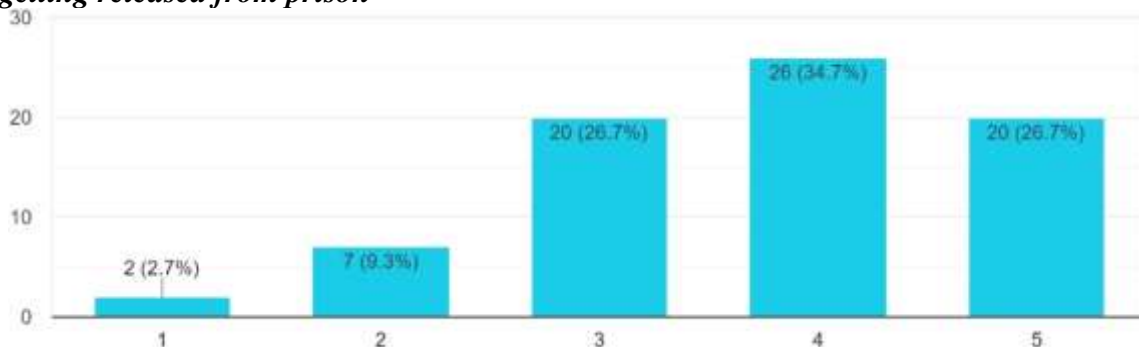
The above graph represents the percentage of agreement of the respondents to the above asked question. About 33.3% disagree that the prisoners are well treated by the attenders and no violence is used. About 1.3% agree that prisoners are well treated by the attenders and no violence is used.

Graph 3: People's Opinion regarding the rehabilitation of the prisoners



The above graph represents the percentage of agreement of the respondents to the above asked question. About 30.7% agree that most prisoners would be more likely to be rehabilitated if they received a punishment other than prison. About 8% disagree that most prisoners would be more likely to be rehabilitated if they received a punishment other than prison.

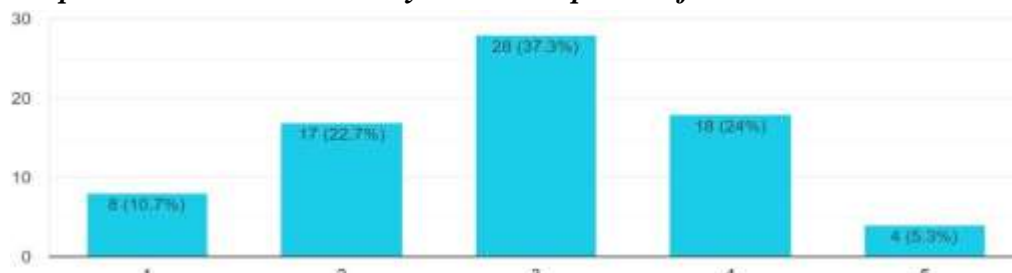
Graph 4: People's opinion on whether it is difficult to get a job and make a living after getting released from prison



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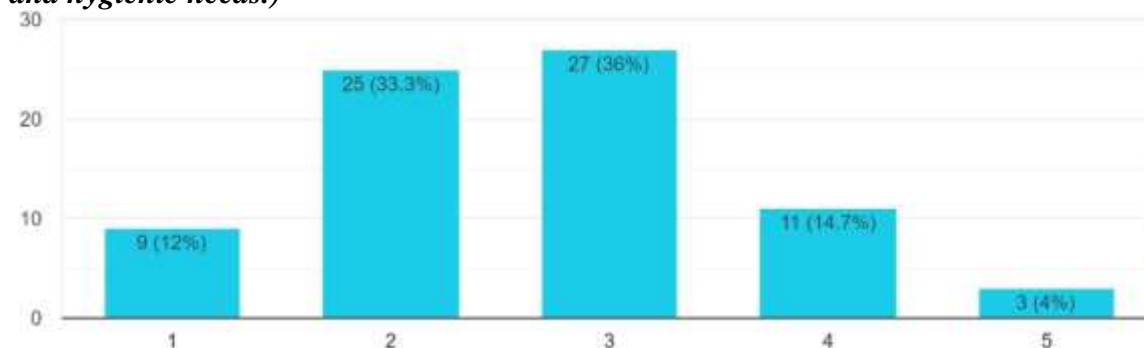
The above graph represents the percentage of agreement of the respondents to the above asked question. About 34.7% agree that it is difficult to get a job and make a living after getting released from prison. About 2.7% strongly disagree that it is difficult to get a job and make a living after getting released from prison.

Graph 5: Juvenile education system in the period of detention.



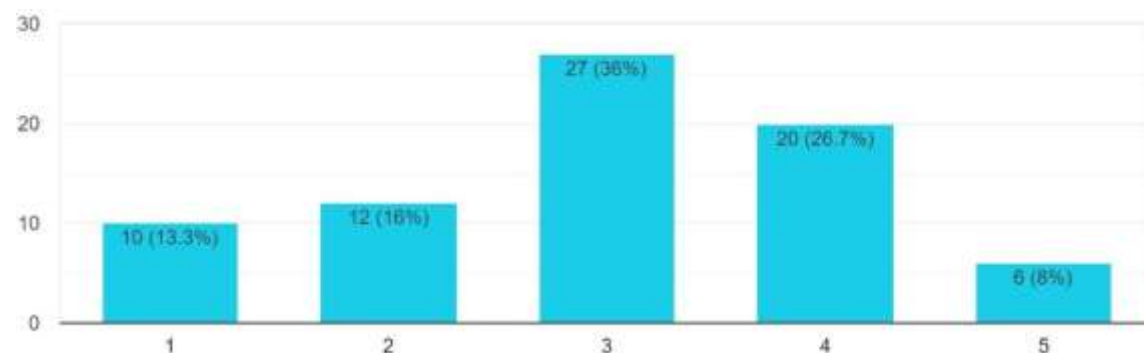
The above graph represents the percentage of agreement of the respondents to the above asked question. About 24% agree that in case of juvenile prisons are the prisoners given proper education in the period of detention and 22.7% disagree that juvenile prisons don't provide proper education to the inmates in their period of detention. About 5.3% strongly agree that education provided in the juvenile prison.

Graph 6: People's opinion regarding the basic needs of the women prisoners (sanitary and hygienic needs.)



The above graph represents the percentage of agreement of the respondents to the above asked question. About 33.3% disagree that the women prisoners attended properly to their sanitary and hygienic needs. About 4% strongly agree that women prisoners are attended properly to their sanitary and hygienic needs.

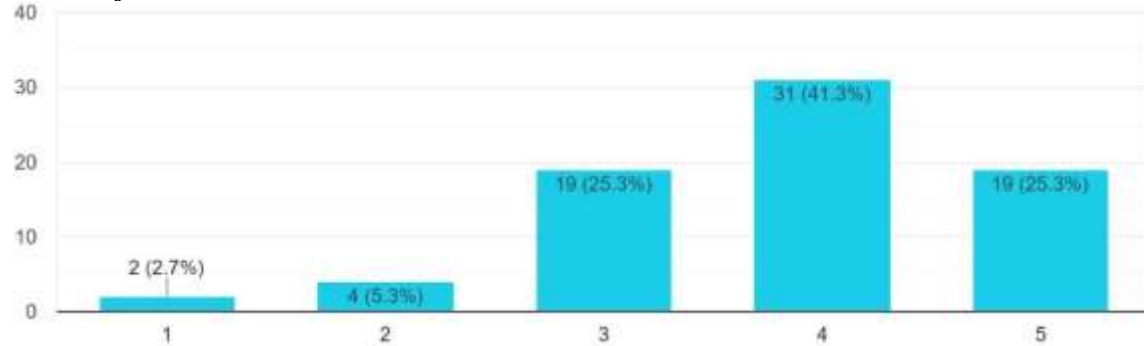
Graph 7: People's opinion on awareness of the Prisoners regarding their release dates and the crimes they have been booked for.



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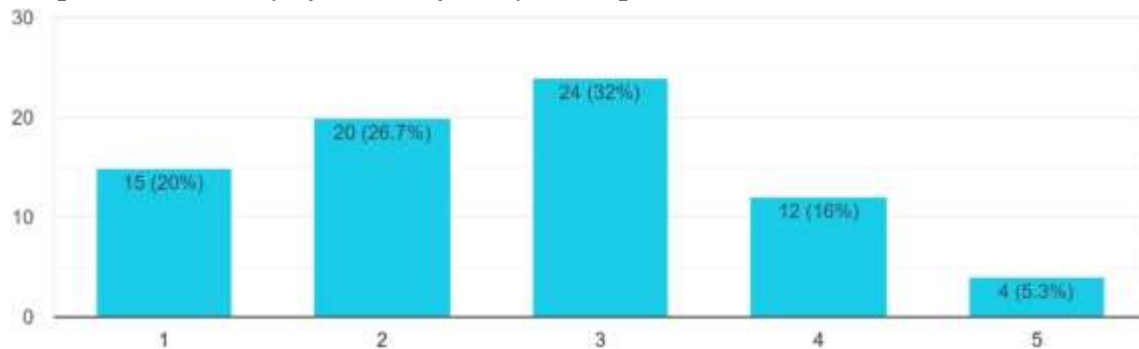
The above graph represents the percentage of agreement of the respondents to the above asked question. About 26.7% agree that all prisoners are well aware of their release dates and the crimes they have been booked for. About 8% agree that all prisoners are well aware of their release dates and the crimes they have been booked for.

Graph 8: People's opinion regarding the suicide rates of the prisoners should be a concern for the Government.



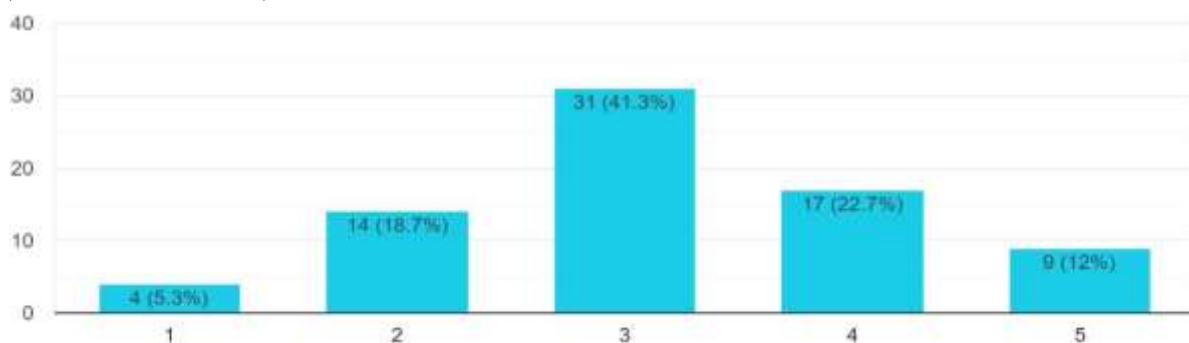
The above graph represents the percentage of agreement of the respondents to the above asked question. About 41.3% agree that the suicide rates of the prisoners should be a concern for the Government. About 2.7% strongly disagree that the suicide rates of prisoners should be a concern for the government.

Graph 9: Availability of medical facility to the prisoners.



The above graph represents the percentage of agreement of the respondents to the above asked question. About 26.7% disagree that the mental health of the prisoners is checked regularly. About 5.3% agree that mental health of the prisoners is checked regularly. About 20% strongly disagree that mental health is checked.

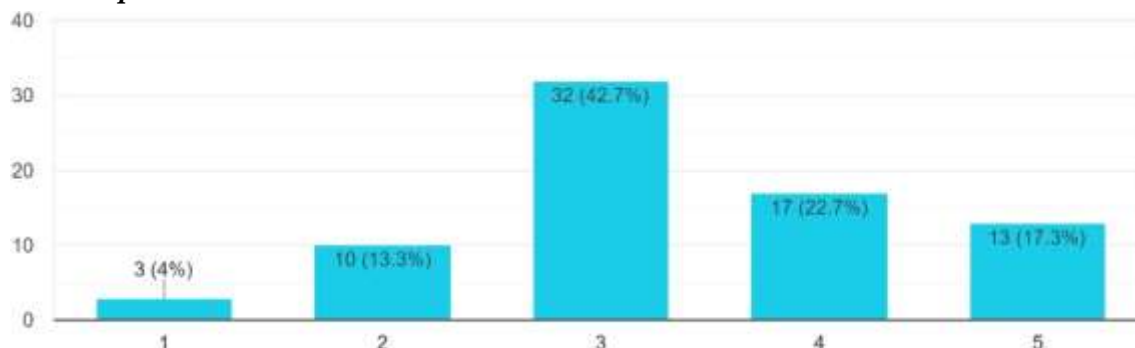
Graph 10: People's Opinion regarding communicable/ infectious disease, notably (HIV/AIDS and TB)



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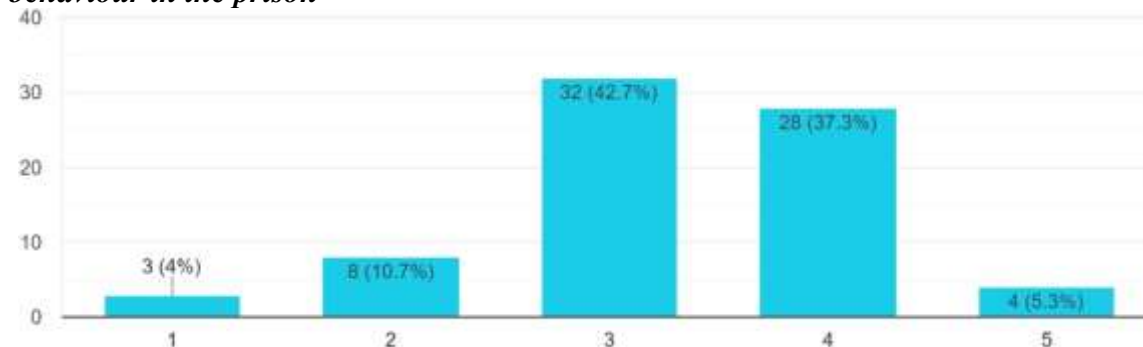
The above graph represents the percentage of agreement of the respondents to the above asked question. About 22.7% agree that infectious diseases such as HIV, TB are much higher in prisons, about 5.3% strongly disagree that infectious diseases such as HIV and TB are much higher in prisons.

Graph 11: People's opinion regarding the sexual offences committed by the officers towards prisoners



The above graph represents the percentage of agreement of the respondents to the above asked question. About 22.7% agree that the rate of sexual offences on the prisoner by the officers is high. About 4% disagree that the rate of sexual offences on the prisoner by the officers is high.

Graph 12: People's opinion on the prisoners are awarded for their effort and good behaviour in the prison



The above graph represents the percentage of agreement of the respondents to the above asked question. About 37.3% agree the prisoners are awarded for their effort and good behaviour in the prison. About 4% disagree that the prisoners are awarded for their effort and good behaviour in the prison.

Major findings of the Study

1. People agree that infectious diseases such as HIV, TB are much higher in prisons
2. People agree that most prisoners would be more likely to be rehabilitated and given proper treatment rather than getting sentenced to prison confinement.
3. People agree that it is difficult to get a job and make a living after getting released from prison.
4. People agree that juvenile prisoners are given proper education in the period of detention
5. People disagree that the women prisoners attended properly to their sanitary and hygienic needs.

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6. People agree that all prisoners are well aware of their release dates and the crimes they have been booked for.
7. People agree that the suicide rates of the prisoners should be a concern for the Government.
8. People disagree that the mental health of the prisoners is checked regularly.
9. People disagree that the prisoners are aware of their basic rights in the prison.
10. People disagree that the prisoners are well treated by the attenders and no violence is used.
11. People agree that the rate of sexual offences on the prisoner by the officers is high
12. People agree the prisoners are awarded for their effort and good behaviour in the prison.

CONCLUSION

Improving the conditions of prisoners is an important step towards creating a more just and humane prison system. Here are some points on how to better the conditions of prisoners and avoid abuse:

1. Provide adequate living conditions: Prisoners should have access to clean and sanitary living conditions, including clean water, proper sanitation facilities, and adequate ventilation. Overcrowding and poor living conditions can lead to the spread of disease and increase the likelihood of violence.
2. Ensure access to healthcare: Prisoners should have access to appropriate healthcare services, including mental health care, dental care, and medical care. Neglecting prisoners' medical needs is a form of abuse and can lead to serious health problems.
3. Provide nutritious meals: Prisoners should be provided with nutritious and wellbalanced meals that meet their dietary needs. A healthy diet can improve physical and mental health and reduce the risk of chronic diseases.
4. Protect against physical abuse: Prisoners should be protected from physical abuse, including violence from other prisoners and staff. This can be achieved through proper training of staff, clear guidelines for behavior, and strict enforcement of policies against violence.
5. Provide opportunities for education and rehabilitation: Providing prisoners with access to education and vocational training can help them acquire skills that will make them more employable and less likely to reoffend. Rehabilitation programs can also address underlying issues, such as addiction or mental health problems, that may have contributed to their criminal behavior.
6. Respect prisoners' rights: Prisoners have the right to be treated with respect and dignity. This includes the right to privacy, the right to communicate with family and friends, and the right to practice their religion. Staff should be trained to respect prisoners' rights and ensure that they are not subjected to discrimination or harassment.
7. Monitor conditions and address concerns: Regular monitoring of prison conditions can help to identify problems and address concerns before they become serious issues. Prisoners should be encouraged to report any concerns about their treatment, and staff should take these reports seriously and investigate them promptly.
8. Provide access to legal representation: Prisoners should have access to legal representation and be able to exercise their rights in the legal system. This includes the right to challenge their detention and to seek redress for any abuses they have experienced while in prison.

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Improving the conditions of prisoners and avoiding abuse requires a commitment to human rights and a recognition that all individuals, regardless of their circumstances, deserve to be treated with dignity and respect. By implementing these measures, we can create a prison system that is more just, humane, and effective at rehabilitating offenders and reducing recidivism.

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Conflict of Interest

The author(s) declared no conflict of interest.

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