Letter from the Editor:

Brothers and Sisters!

Last month was incredible, I had the amazing opportunity to visit North Hollywood for a retreat to meet the 19 other activists being supported by the Roddenberry Foundation, some of which who are enthusiastic about amplifying prisoners voices in their work. Opportunities to work with a couple of the fellows I met can be found in the Call for Content section of this newsletter. I’ve also included a fun photo of our Roddenberry Family.

In this issue of the Right2Vote Report we’ll cover the events of first Right2Vote tour which include a trip to Los Angeles for the Democracy Needs Everyone Launch hosted by Initiate Justice in support of ACA 6. Following that I took a trip to New Mexico’s legislature to attend the hearing for HB 57 led by Millions for Prisoners organizers. Both of these bills are to restore voting rights to formally incarcerated citizens while on parole and I’m excited to have witnessed the local support organizers have created around them.

This month I’ll be heading on the second Right2Vote tour visiting New Jersey for their event, And Justice for All, in support of A3456 & S2100. Following that I’ll be attending the Mass POWER kickoff in Massachusetts in support of SD25 & SD26. Both of these bills are to restore incarcerated citizens’ voting rights. Organizers in each state are coming up with creative ways to galvanize the residents of their states in support.

The number of states participating in the Right2Vote campaign continues to grow. I’ve created a map included in this newsletter illustrating the states that have active legislation towards ending felony disenfranchisement. I’m honored to have the opportunity to serve you all as a part of this campaign. I cannot say enough how much of an incredible experience its been thus far and I’m eager to see what the future has in store. I can’t thank you enough for your support!

In Solidarity,

Anami Sawari
@Sawarimi

These are the NATIONAL DEMANDS of the men and women in federal, immigration and state prisons:

1. Immediate improvements to the conditions of prisons and prison policies that recognize the humanity of imprisoned men and women.
2. An immediate end to prison slavery. All persons imprisoned in any place of detention under United States jurisdiction must be paid the prevailing wage in their state or territory for their labor.
3. Recission of the Prison Litigation Reform Act, allowing imprisoned humans a proper channel to address grievances and violations of their rights.
4. Recission of the Truth in Sentencing Act and the Sentencing Reform Act so that imprisoned humans have a possibility of rehabilitation and parole. No human shall be sentenced to death by incarceration or serve any sentence without the possibility of parole.
5. An immediate end to the racial overcharging, over-sentencing and parole denials of Black and brown humans. Black humans shall no longer be denied parole because the victim of the crime was white, which is a particular problem in Southern states.
6. An immediate end to racist gang enhancement laws targeting Black and Brown humans.
7. No denial of access to rehabilitation programs for imprisoned humans at their place of detention because of their label as a violent offender.
8. State prisons must be funded specifically to offer more rehabilitation services.
9. Reinstatement of Pell grant eligibility to prisoners in all US states and territories
10. Recognition of voting rights for all confined citizens serving prison sentences, pretrial detainees and so-called “ex-felons.” Their votes must be counted. Representation is demanded. All voices count!

Active Right2Vote Legislation
WA: SB 5076 & SB 5207
CA: ACA 6
NM: HB 57
MO: HB 50B
LA: HB 265
KY: SB 238
SC: H 4048
NY: S1931 & A4987
MA: SD25 & SD26
NJ: A3456 & S2100

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After Parole & Probation, felons regain their voting rights in Missouri — if they know to register

by Maureen Dunne December 8, 2018 | www.themaneater.com

Nearly 2 percent of the voting-age population of Missouri is ineligible to vote. Convicted felons in Missouri are unable to vote even after being reintegrated into society.

Maureen Dunne is a freshman journalism major at MU. She is an opinion columnist who writes about student life and politics for The Maneater.

In Missouri, felons are disenfranchised until they have completed their time in the criminal justice system, including parole and probation. In 2016, 105,482 people were in the Missouri correctional system, and thereby ineligible to vote in the presidential election, according to the National Institute of Corrections.

Although 2 percent of the population of Missouri may not seem like a steep statistic, felony disenfranchisement to any degree is damaging to society and felons themselves. It has been linked to increased rates of recidivism, and in states with lifetime disenfranchisement, drives recidivism rates 10 percent higher than those with temporary disenfranchisement. However, Missouri has the nation’s third highest recidivism rate despite enforcing only temporary disenfranchisement.

Voting as a felon in Missouri is still tricky even after one has completed his or her time in the criminal justice system. Felons are encouraged to re-register to vote regardless of how long they were incarcerated or on parole, as opposed to the general population only being required to update their voter registration after a change in name or address. This is little known advice, meaning many felons do not register to vote in time for elections. As a result, less than 20 percent of voting-eligible felons in Missouri turned out for the 2008 presidential election, according to a study conducted by Northwestern University professor Traci Burch.

By barring felons from voting, the government is making it more difficult for an already vulnerable demographic to have faith in government and re-assimilate into society.

Deliberately silencing the voices of voting-eligible citizens is voter suppression. Convicted felons released from prison have repaid their debt to society and are on parole to ensure that they have the structure they need to successfully reintegrate into the outside world. Barring them from their civic duty does nothing but further alienate them from their community members and the government.

Recently, some states have eased their felony disenfranchisement policies, specifically Florida. Until this past midterm election, Florida was one of three states in the U.S. which stripped convicted felons of their voting rights for life. On Nov. 7, Florida voters passed Amendment 4 which granted voting rights to over 1.4 million convicted felons across the state.

Amendment 4 was a monumental advancement for Florida and the U.S. as a whole. Just like Missouri’s recent Senate race, Florida had its own tight election this year. Republican Ron DeSantis was elected governor by merely 10,033 votes across the state after a nearly two week long manual ballot recount.

Florida is no stranger to tight elections. In 2000, George W. Bush secured the state’s 29 electoral votes (and as a result, the presidency) by merely 537 votes statewide. Winning Florida’s electoral votes has long been respected as a necessary step to winning the presidency. Roughly 1.4 million newly eligible voters for the 2020 elections could mean the end of Florida’s history of narrow elections and squash its reputation as a perennial swing state.

Although not as strict as Florida’s previous lifetime felony disenfranchisement, Missouri’s policy is more restrictive than many neighboring states. Felons’ voting rights in Illinois and Indiana are automatically restored upon release from prison, regardless of parole or probation status. As a result, only half of a percent of the population of Illinois is disenfranchised compared to Missouri’s 2 percent.

Regardless of the potential for felons’ votes to be the difference in key elections, felons deserve the right to vote (and to be informed of it) immediately upon their release from prison. Missouri needs to take a hint from Illinois and follow Florida’s recent lead.

Illinois’ policy, allowing felons to vote on parole and probation and restoring them their civil rights immediately, reinforces the very purpose of parole: ensuring a successful reintegration into society. Florida’s Amendment 4 instated automatic voter registration upon completion of parole or probation, providing felons a seamless way to resume their civic duties. Missouri needs a system in which felons are automatically registered to vote upon the completion of their sentence.
Thousands of felons in Louisiana will regain their voting rights when this law takes effect March 1

by Elizabeth Crisp February 15, 2019 | www.theadvocate.com

Some 36,000 felons who haven’t been in prison for at least the last five years will have the opportunity to register to vote when a new law takes effect March 1. Secretary of State Kyle Ardoin gave state lawmakers an update on the status of preparations for the new law, which the Legislature approved last year, during a hearing at the Capitol on Friday. “Obviously, we’ve been hard at work at trying to make the date of March 1. I think we are there,” Ardoin, a Republican who doesn’t support the change, told the House and Governmental Affairs Committee.

Initial estimates of the number of people who would regain their voting rights were a fraction of the number that the state Department of Corrections now says the law applies to. That’s because initial counts only include those who had been incarcerated, but the law is being interpreted to include those who were on probation but never behind bars. “We’re getting a lot of calls,” said Rep. Lance Harris, R-Alexandria. But advocates for people who were formerly imprisoned say that the goal should be to register as many people as possible to vote.

“The law that passed last year was incredible,” said Bruce Reilly, of Voice of the Experienced. Ardoin and Corrections Secretary Jimmy LeBlanc met last week to hash out details of how the registration will work. Ardoin outlined the multi-step process for legislators on Friday. “One of the concerns I’ve had is the delays in the process.”

Ardoin said he doesn’t plan a large outreach effort and instead expects independent advocacy groups to lead efforts to notify felons who can regain their right to vote. The bill’s unlikely passage didn’t come easy. It was rejected twice in the House earlier in the same session, before it passed on its third attempt. Due to a technical change, it had to win the majority of the House’s approval a second time as lawmakers were preparing to end the session early. The state Constitution prohibits people “under an order of imprisonment” on a felony conviction from voting. A 1976 law expanded that to people convicted of felonies and still on probation or parole.

That law was already facing a challenge in court. More than 70,000 Louisiana residents are on probation or parole for felony crimes. Checo Yancy, who advocates on behalf of formerly incarcerated people, such as himself, attended Friday’s hearing. “I just want to get my voting rights,” he told the House panel Friday. “I pay my taxes and do everything I’m supposed to do.”

Why are progressive ‘liberal’ states behind in the movement to end felony disenfranchisement?

by Amani Sawari March 3, 2019 | www.sawarimi.org

At this point there are nine states with active legislation towards the end of felony disenfranchisement in New York, New Jersey, Massachusetts, South Carolina,
Kentucky, Missouri, New Mexico, Washington and California. In this piece I want to shine a light on the West coast, which is supposedly known as a more 'liberal' area of the country with a more progressive view on criminal justice reform. Despite the liberal perception they hold, disappointingly both Washington and California's policies on voting rights completely disenfranchise individuals in community custody.

Even more disappointingly their proposed legislation only partially re-enfranchises those directly impacted by incarceration.

Currently in Washington state once individuals are released from prison they must complete probation prior to having their right to vote restored, effectively disenfranchising up to 7,000 people each year. Similarly in California individuals cannot vote while on parole, but new legislation (ACA 6) would restore the rights of nearly 50,000 people. We mustn't forget that these West Coast states that freely display "Black Lives Matter" signs in the windows of their storefronts aren't living up to the phrase when it comes to the lives of our nation's prisoners that are disproportionately Black. We see hundreds of thousands of Black lives whose voices essentially do not matter at all in the voting booth. They're completely barred from participating in the promise of democracy and the legitimacy of their lives.

In a country founded on the idea that "taxation without representation" is the greatest crime a government could commit against it's own citizens, tens of thousands of people are taxed without representation in the seemingly "liberal" states of Washington and California.

On Friday Initiate Justice hosted a launch event in support of their bill, ACA 6 introduced by Assemblymember Kevin McCarty (D-Sacramento) to restore the voting rights of individuals while on parole. During the event Initiate Justice released a groundbreaking report that analyzes the positive impact incarcerated and formally incarcerated individuals votes would have on our society if they were counted. According to the report, "There are approximately 162,000 citizens in the state whose voting rights have been restricted".

Juan Moreno Hinoes, incarcerated in California's DOC, shared in the report's introduction, "As I talk to other incarcerated people who are truly doing the work of making themselves better citizens, I realize that giving every citizen voting rights expedites the rebuilding process of our communities". Juan ends the introduction with the powerful statement, "incarceration took many things away from me but it did not take away my citizenship... Democracy needs everyone and everyone includes the people in prison and on parole. I believe we all can contribute positively to our political system if given the chance". The report explains how those directly impacted by incarceration plan to positively contribute to society once their voting rights are restored by breaking down the most important issues of the incarcerated folks who responded to Initiate Justice's survey: jobs & economy, education and healthcare.

Interestingly only 37% of the incarcerated people who were surveyed said that they voted before they were incarcerated, but 98% say that they would vote now if they could. In this statistic we can see that many incarcerated people's voting rights were stripped before they ever had a chance to use them, often due to their lack of understanding or access to the political process, but many were not even of voting age prior to their incarceration.

In response to fear based arguments concerning public safety, allowing those directly impacted by incarceration to vote makes them feel more connected to their communities and as a result makes our communities safer. "For people on parole who are already reintegrating into our communities, the number of respondents who said they do believe voting rights would help them stay out of jail increased to 76%". The numbers plainly show that ending felony disenfranchisement is a proper investment into our communities. People who feel like they belong to a community are much less likely to commit a crime against it. Incarcerated citizens want to practice the right to vote in order to have a voice in society, participating in the selection of elected officials, to contribute positively to society. The vast majority have already exhausted the resources available to demonstrate their positive impact with 61% in school and 70% working or in vocational training.

Initiate Justice board member, Rahsaan Thomas serving a life sentence in San Quentin Prison gave a powerful speech, sharing that many of our caged community members are in prison because of their traumatic pasts, addition and mental illness. These were the conditions that led to their incarceration that, as we can see from the numbers shown in the report, the vast majority have overcome and centralized their focus on education, employment and supporting their peers. Juan reminds us that, "we cannot attach ourselves as a cure" meaning that restricting prisoners from voting degrades the whole of society. In addition to the fact that restoring voting rights reduces recidivism, prisoners have incredible policy ideas that reflect the concerns of generations to come. These ideas include increasing minimum wages, small businesses initiatives, free higher education, universal healthcare and substance abuse treatment. We can get these types of policies in place with the assistance of the tens of thousands of individuals whose votes we are completely failing to tap into.

Massachusetts lawmakers consider restoring voting rights, but Organizers are not waiting

Massachusetts moved away from universal suffrage in 2000, stripping incarcerated individuals of their right to vote through a constitutional amendment. Nearly two decades later, organizers inside and outside state prisons are working for now-disenfranchised Bay State to have a say in the electoral process.

The Emancipation Initiative, a group that advocates restoring suffrage to all people in prison, has been running a project called #DonateYourVote since 2016. The idea is to pair an incarcerated person and a free person who commits to voting according to his or her disenfranchised partner's preferences. More than 140 such pairs formed in the 2018 elections, according to project organizers.

In January, Senator Adam Hinds introduced a proposed constitutional amendment that would restore incarcerated individuals' voting rights. "It's scary to me that the ability to have a voice in a democracy and the laws that impact the democracy can be removed," he told me.

If this measure passes, Massachusetts would repeal the practice of barring people from voting because of a felony conviction. That reform has a long road ahead, though. The proposed amendment (S.12) would need to be adopted by lawmakers in two consecutive legislative sessions and then by voters, which could not occur before 2022 at the earliest, and a regular bill (SD26) must also pass.

Neighboring Maine and Vermont already have no such disenfranchisement, and Massachusetts was like those states until Republican Governor Paul Cellucci and other state politicians pushed for restrictions in an era known for its tough-on-crime politics and harsh sentencing schemes. In 1997, a group incarcerated at the Norfolk state prison attempted to create a political action committee that would spread information about elected officials' positions on criminal justice issues, encourage people to vote while in prison, and change the state's carceral policies. "Our whole point now is to make prisoners understand that we can make changes by using the vote," Joe Labriola, a member of that group, said at the time. "We have the ability to move prisons in a new direction." In response, Cellucci proposed stripping incarcerated people of their political rights. He issued an executive order banning certain organizational activities within prisons and he targeted their vote, too. "It's outrageous that these prisoners have these voting rights," he said. "We should be thinking about the victims."

The Democratic-run legislature then twice passed a constitutional amendment to bar people convicted of a felony from voting while incarcerated. The amendment was placed on the ballot in November 2000. State voters approved it by a large majority.

Senator Pat Jehlen, who opposed this measure at the time, recalled a desire to block political activism when I asked her what had spurred its adoption. "It really was that there were people in some of the prisons that were organizing," she told me. "There was that, and there was the argument which I don't believe was true that they would overwhelm the local community" by all registering in the place they were incarcerated, she added. Legislative debates also bear the trace of some politicians' hostility toward anything short of strict custodial control. "We decide when they get up and when they go to bed," Representative Francis Marini said of incarcerated people during the 2000 convention according to transcripts posted online by the Emancipation Initiative. "We won't let these people run their own life. They should not be allowed to run ours."

Jehlen added that she had heard little about this issue since 2000, but that much is changing—in Massachusetts and elsewhere in the country. Bills that altogether abolish felony disenfranchisement have been introduced in at least six states in current legislative sessions, and a legislative committee advanced one such bill in New Mexico in January. Last week, 20 national civil rights organizations sent a letter to New Mexico's legislature in support of ending felony disenfranchisement.

"To have this network of folks who are also working hard on this issue is really exciting," said Rachel Corey, an organizer with the Emancipation Initiative. "To see this energy come up in different parts of the country is like, 'OK, we're not on this island..."
Nastasia Lawton-Sticklor, a participant who learned about the project through an election on the ballot. Once paired, the incarcerated and free people were asked to engage community ties is one of the ways that people avoid recidivism,” she said. Jehlen argued further that avoiding such isolation matters to re-entry given that most incarcerated individuals leave prison. “Mainly, the incarcerated people are affected by the laws we make just as much as anyone else, and if I have learned anything over the past two decades, it is that we must empower people to have a voice and to use that voice to advocate for themselves and their community.”

None of the other 21 legislators who voted in favor of disenfranchisement in 2000 re-voted. Senator Harriette Chandler, who voted for disenfranchisement in 2000, told me that she supports the voting rights of incarcerated people. “I believe it is the right of all citizens to participate in our democracy,” she said in a statement emailed by a spokesperson. “People who are incarcerated are affected by the laws we make just as much as anyone else, and if I have learned anything over the past two decades, it is that we must empower people to have a voice and to use that voice to advocate for themselves and their community.”

Emancipation Initiative organizers are not waiting for a new constitutional amendment to be adopted to work for people in prison to be heard. “It’s important for the people who are incarcerated to have a voice because they are the people who are impacted.” Corey told me that the group aims to generate enough interest to pair all people who are disenfranchised with someone who retains the right to vote in 2020. Washington said that given the disenfranchisement of people in prison, the Emancipation Initiative hopes to “get people involved, to get organizations involved, to get families involved, getting them to disseminate the information and hold the elected officials accountable to the whole liberal tag that they’re putting on themselves and the government of this state.” As of Feb. 7, the proposed constitutional amendment was referred to the legislature’s Joint Committee on Election Laws.—

New Mexico Right2Vote Bill Passes the House, Now We Prepare for the Senate

Amani Sawari | March 5, 2019 | www.sawarimi.org

Individuals who voiced their support during HB 57 hearing from Common Cause Human Services Dept, Ole, Strong Families, Millions for Prisoners and ACLU

Like every state, New Mexico is a battle ground full of its own complicated layers and the complex processes in government. I was shocked by the structure of the New Mexican legislature with a biennium session that last only 60 days! New Mexicans have only two months to draft, promote, advocate for, revise, schedule a hearing and pass initiatives through the state’s legislative process. This must all be done while competing with the hundreds of other bills being forced into that small window. After eight years of ‘tough on crime’ Republican Governor Martinez passing hurtful policies now a record number of criminal justice, medical and education reforms are pouring into Congress. HB 57, to restore the right to vote to individuals immediately upon their release from prison, is one of the many reforms that people are trying to secure passed within the two month window. This makes grassroots organizing difficult, but not at all impossible.

This weekend I took the trip to New Mexico to meet with Millions for Prisoners organizers sponsoring the bill along with members from the large cohort of groups that support HB 57 which include ACLU-NM, DMOS, League of Women Voters, Progressive Democrats of America, Retake Our Democracy and Strong Families-NM among others. I went to witness the second hearing the house, assigned for the Judiciary committee headed by our bill’s sponsor Gail Chasey for a vote. Since the session began mid-January Millions for Prisoners has been pushing through every obstacle
that came their way. HB 57 passed the first committee in the first week of the session but had been stalled until now with less than two weeks left in the session for its second hearing.

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With so much happening in the last couple of weeks of the legislative session, the committee hearing started late with the room with packed full of reporters, lobbyists and concerned citizens. HB 57 was fourth on the schedule, sponsored by Gail Chasyey the House judiciary committee chair with Selinda Guerrero sitting by her side as the bill’s expert witness. Guerrero began speaking to the committee recognizing the voices of those who unable to be present do to their incarceration or parole restrictions which prevent them from leaving their counties to visit the state capitol, which is known as one of the most accessible in the country. HB 57 was originally supposed to be heard by the Judiciary committee on Friday March 1st, but was rescheduled to Monday. Many formally incarcerated supporters of the bill who were able to come to the original hearing after getting the date of proved to by their parole officers were unable to attend after the hearing was rescheduled with such short notice.

Supporters Show Up in the Dozens

After Chasyey & Guerrero’s initial statements the floor with open for those who were present testify in opposition or in support. Similar to the first hearing, there was only one voice in opposition from the District Attorney’s office. Once the floor was open to those in support, myself along dozens of others testified. Those in support included the Secretary of State, Maggie Toulouse Oliver, who shared her concern with the current system that the District Attorney advocated for in their opposition which requires the Department of Corrections to notify clerk offices of prisoners voting status. The Secretary of State informed the committee that after over ten years of relying on the DOC their notification system was not at all working. Reports from to the clerk office from DOC we’re regularly full of inaccuracies showing some individuals having their voting rights restricted when that was not the case. Paul Haide, policy analyst from the ACLU-NM, conquered with the Secretary of State’s comments adding his experience working with a formally incarcerated client who’d be unlawfully denied his voting rights by the clerks office for failure to present the proper paperwork. Haide’s powerful testimony illustrated the lengths some are forced to go just to vote, “it should not take and attorney to restore your right to vote”. After dozens of HB 57 supporters the committee members voted on the bill pass the House with a majority vote 9 to 3! Of the votes in favor Speaker of the House Representa- brian Egolf, who has the largest prison in New Mexico as a part of his district, noted that the bodies we count to make up our seat should have a vote. Both he, along with Representatives Micaela Lara Cadena and Dayan Hochman-Vigil voiced their strong support for the original bill that included restoring the votes of incarcerated individuals along with those on parole. Representative Damon El shared that, “if we trust them enough to come back into society, we should trust them to vote”, Organizers were forced to compromise in the interest of getting the bill moved forward to the Senate, Organizers behind the walls in NM said, “it is not what we hoped for, but it is progress. This also allows us to continue the conversation about disenfranchisement.” Out of the three descending opinions the only one to voice his reasoning was Representative James G. Townsend who stated that while he appreciated hearing the perspectives of all those in the room he voted in opposition, “in the interest public safety”. This was a ridiculous excuse seeing as how dozens of members in the public had just voiced their feeling favorable, and not at all unsafe, about having those directly impacted by incarcerating voting.

Moving Forward to the Senate

As organizers prepare to present their case to the Senate, they are working on another National letter in addition to the one from DMOS for all house members before the floor vote which would ideally be scheduled in the next couple of days. The bill is most likely to be assigned to the Senate’s Judiciary Committee and with the support of voting champion Senator Daniel Ivy Soto we are confident that with Governor Michelle Lujan Grisham’s support we will successfully cross the finish line. To raise awareness and galvanize the public, on Thursday, March 7th at the Roundhouse the ACLU-NM will be hosting an event, End Mass Incarceration Lobby Day. Along with this the NMSafe team will be receiving a certificate of recognition for this movement. For those that are able to attend the event please specifically lobby Sen- ators for HB 57. For those that are unable to attend please continue to help lobby specifically targeting centrist dems in the House and all Senators, specifically those on the Judiciary Committee in the Senate along with Governor Grisham. You can call or email using the contacts listed here.

The Office of Governor Michelle Lujan Grisham is located on the 4th floor of the New Mexico State Capitol in Room 400. Address: 400 Old Santa Fe Trail Room 400 Santa Fe, NM 87501 Phone: (505) 476-2200

KONCENTRATION KAMP KHRONICLES

A New Era of Sentencing Reform and Restorative Justice for the Violent Offender

by Asar Imhotep Amen I California State Prison - Lancaster

Many of the current sentencing and corrections policy reforms aim to correct overly harsh sentences for those convicted of nonviolent offenses. Amid mounting con- cerns about mass incarceration, in part rooted in fiscal concerns, states have begun to depopulate their prisons and reform sentencing laws that have driven the expan- sion of the prison population since the mid-1970s. In August 2013, Attorney General Holder delivered a substantial speech that has reinvigorated discussions on mass incarceration and created the potential to ease the overcrowded prison system. Na- tional leadership of this sort can provide momentum for state reforms that ease harsh sentences for offenders who are better served in treatment or community- based alternative settings, or for shorter terms of incarceration. The Attorney Gen- eral’s speech represents a pivotal and long-awaited opportunity for criminal justice reforms across a wide spectrum of penalties.

Recent developments hold promise for a new Criminal Justice era that relies less on incarceration and more so on alternatives that promote public safety, reform off- fenders, heal victims, and stay within the boundaries of limited budgets. Addressing the overincarceration of drug offenders alone is a significant undertaking. The number of people in state prisons for drug offense rose more than 550% in the past 20 years and half the people in federal prison are serving time for a drug offense, according to The Sentencing Project.

Policies and practices around life sentences in America, though, remain largely un- challenged despite a substantial period of low crime. The violent crime rate is now close to half of what it was 20 years ago according to the FBI. One possible expla- nation for the mismatch between crime and rising life sentences is that these sen- tences are excluded from serious consideration in sentencing reform discussions.
Most of the dialogue regarding sentencing reform centers on non-violent offenses. Yet, it is not necessary to limit reforms to those convicted of nonviolent or minor offenses. In order to truly address our nation’s prison problem, policymakers should also substantially revise policies affecting those serving long sentences, including life with and without parole. There are important legal, moral, and fiscal/public-safety reasons to do so. Today the broad and increasing use of Life sentences is rarely a part of crime policy discussions.

There are several key reasons to rethink our crime policies for life sentences. In many ways, Americans support the belief in second chances, but there is a reluctance to apply this perspective to those who commit crime, especially serious crime. However, many prisoners go on to demonstrate true personal reform, remorse, and ability to contribute positively to society if given the chance.

There is also the high financial cost of incarcerating people for the rest of their lives, particularly given the lower recidivism of life sentence prisoners. While there are cases where release of long-term prisoners is not realistic or prudent, a reliable mechanism should always be in place to review personal change and consider evidence of remorse, as well as to assess the cause of continued confinement, including paying medical and housing costs for those who no longer pose a threat to public safety.

The Supreme Court’s recent conclusions about the constitutionality of life sentences for youth are important. Many of the arguments presented to support parole review for this category of life could be applied to adult offenders as well. That is, adolescence is not the only period in which transformation and reform are possible and a meaningful opportunity for release does not have to be limited to those who commit crime in their youth. The capacity for change is inherent in most people given time and engagement in rehabilitative programming like what is taking place at Lancaster State prison in Los Angeles county for many years now. In a system where all prisoners receive parole review, denial of parole is still an option for those who fail to show they have earned it, but the possibility of reducing unnecessary incarceration can emerge.

A More Sensible Response to Serious Crime:

Those who support the elimination of life without the possibility of parole (LWOPP) sentences on moral or practical grounds do not view the abolition of LWOPP as a guaranteed released from prison. A parole eligible life sentence does not give prisoners the right to be released, but merely the opportunity for review at a reasonable point in their sentence. Case-by-case review of a variety of pertinent factors, conducted by a professional parole board, will allow for the release of those prisoners who no longer need to be incarcerated and the continued incarceration of those who do.

LWOPP sentences are costly, short-sighted, and ignore the potential for transformative personal growth. The 49 states that allow LWOPP - and among these, the six states in the federal system within LWOPP only sentences should replace the structure with parole eligible terms. An example may come from Canada, where all individuals serving life sentences are considered for parole after serving 10 to 25 years. Again, such a change would not necessarily mean that all parole eligible individuals will be released at some point during their term. In the interest of public safety, many individuals sentenced to life will serve the remainder of their natural lives in prison.

Look to Other Countries for Guidance:

Many countries exist without the death penalty or LWOPP and are able to maintain public safety. These countries do not experience major crime spikes. According to a 2005 United Nations report, seven countries report having a mandatory life sentence for murder however, all of them reported mechanisms for releasing prisoners after a certain period of time. In 2005, the United Kingdom had only 22 prisoners serving LWOPP sentences. Most European countries do not have parole ineligible life sentences. In these countries, it is recognized that no one should be declared beyond reform or redemption without first attempting to rehabilitate them. A comprehensive review after some terms of years is considered appropriate, because of the emphasis on human rights and human dignity. Perhaps we can learn from these countries how to develop a continuum of sanctions that encourages individual reform and protects the public at the same time.

Conclusion:

Life without parole (LWOPP) is effectively a death sentence; to consider it as anything less severe is a mistake. Even though one’s death may not occur for a few decades or more, it does not mean that the government has not decided how and where the individual will die. When looked at from this view, LWOPP is not so different from the death penalty. Moreover, in both an execution and a life sentence without the possibility of parole, there is no hope for redemption or reform, despite the reality that many people turn away from their criminal past and go on to live law-abiding lives and could contribute in positive ways to society.

Neither of these two sentences allow for this possibility, however. Both the death penalty and LWOPP are terminal sentences and guarantee that the prisoner will die in prison.

Ultimately, however, neither sentence is appropriate in a correction system that has the ability to reform lives, as CDCR does. Our society demands fair and just sentences that keep the public safe, apply a reasonable amount of punishment, and attempt to reform the offender so that he or she can be safely returned to the community. Neither the death penalty or LWOPP accomplish these goals.

Mailing Info

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American 4th grade girls who were discriminated against by their teachers. Your story is being collected to determine what things schools can do differently to ensure all students are successful, no matter their race, socioeconomic status, religion, and/or gender

Poetic interpretation of the phrase, “Break Every Chain”. Break Every Chain is a non-fiction book authored by Aaron Greene, law student and president of the Black Law Student Association. Break Every Chain draws the connections between the Slave Era, Convict Leasing Era and the current era of Mass Incarceration. Poetic interpretations are being collected to be published in his book to be released in September.

Narratives describing the challenges you face patenting, raising a family or maintaining relationships while incarcerated for Embrace Race, a national nonprofit that supports parents, teachers, and other adults to raise children who are thoughtful, informed and brave about race; founded by Andrew Grant-Thomas also a 2019 Roddenberry Fellow. Narrative descriptions are being collected to potentially post on Embrace Race’s Blog www.embracerace.org & Facebook page @weembracerace

Sawari does not provide legal services. Sawarim is a platform of expression and empowerment for disenfranchised and marginalized groups, especially members of the African diaspora. Amani Sawari is a writer, founder of Sawarim and SawarimMedia, spokesperson for Jailhouse Lawyers Speak and National Coordinator of their Right2Vote Campaign with the support of the Roddenberry Foundation.
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National Progress to Ending Felony Disenfranchisement