

in for life

Our criminal justice system doesn't always give second chances. But it should, says Ashley Nellis, of The Sentencing Project.

BY ANN-DERRICK GAILLOT
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Do you believe that everyone has the potential to change? That everyone deserves a second chance? That it's never too late to become a better person?

If so, your operating ethos is opposite to that of the U.S. justice system, where over 200,000 incarcerated people are serving life sentences.

More than 17,000 are doing so for nonviolent crimes, and about 12,000 are doing so for crimes committed when they were younger than 18.

In "The Meaning of Life," a new book from The Sentencing Project, a criminal justice reform organization, authors Marc Maurer and Ashley Nellis explain how we got here and how we, as a nation, can possibly move forward.

Presenting decades' worth of data on incarcerated individuals, the book lays out the ineffectiveness and public resource drain life sentences have on American society, as well as the reality that life imprisonment is no more humane or effective than the death penalty. Interspersed between chapters are short profiles of people who were sentenced to life in prison by journalist and former lifer Kerry Myers.

As a whole, "The Meaning of Life" offers an eye-opening examination of a group of people often overlooked and it challenges the insidious idea that anyone deserves to be thrown away.

Nellis, The Sentencing Project's senior research analyst, spoke to Street Roots about the impact of life sentences and the progress of the criminal justice reform movement.

Ann-Derrick Gaillot: *As you discuss in "The Meaning of Life," life imprisonment doesn't get as much focus in conversations about prison reform as, say, the war on drugs or the death penalty. Why do you think life imprisonment and lifers get overlooked?*

Ashley Nellis: Well I think it's a difficult conversation to have because a lot of the people who are serving life sentences have committed serious crimes. So you know there's a legitimate amount of worry that if we go lax on them, then we're going to have increases in crime. But the science on that just doesn't support those worries. And so we try to make the claim that if we want to improve public safety, the best way to do that is to focus on front-end approaches – that is prevention and early intervention and more supports to communities where we already know there is violence and serious crime – rather than on the back end, with extending sentences, because they just don't have any sort of deterrent value.

A.D.G.: *From a science and research standpoint, what do you think is the most generally misunderstood aspect of life sentences*

on the part of the public?

A.N.: One is that if people commit a serious crime, there is this belief that they are so deranged that they'll always be that way and that there's no point in trying to give them a second chance because they're just going to offend again. But the research – and by research I mean when we look at people who are released on life sentences – their recidivism is extremely low in the range of 5 percent or less. So it's much lower than the average recidivism rate. So that idea just does not bear out in the evidence.

And then there's a misunderstanding around life imprisonment being the humane alternative to the death penalty. We are avid opponents of the death penalty, and The Sentencing Project tries to get people to think beyond just those two options. There's a range of sentencing options for individuals, including some components of punishment and some components of rehabilitation. Other Western democracies rarely use life imprisonment because they view the criminal justice system as being a rehabilitative service for people who have gone astray.

A.D.G.: *One of the book's arguments is that there should be a nationwide 20-year cap on prison sentences. Why do you think that is a good solution?*

A.N.: Our view is that the criminal justice system should have ample time to reform the individual because clearly they need some rehabilitation, and that 20 years is enough time for that in most cases. In many countries, 20 years is practically considered a life sentence. So it is possible, and it's actually in practice in many other countries. We think that in order to really see a reduction in our reliance on the corrections system as the only tool in response to crime, we have to severely limit the range of available sentences, and we do that by shortening that upper bound from life down to 20 years. That will have a subsequent effect on other crimes that get lengthy sentences like robberies and burglaries.

A.D.G.: *Tell me about the decision to include profiles of lifers alongside the research you present.*

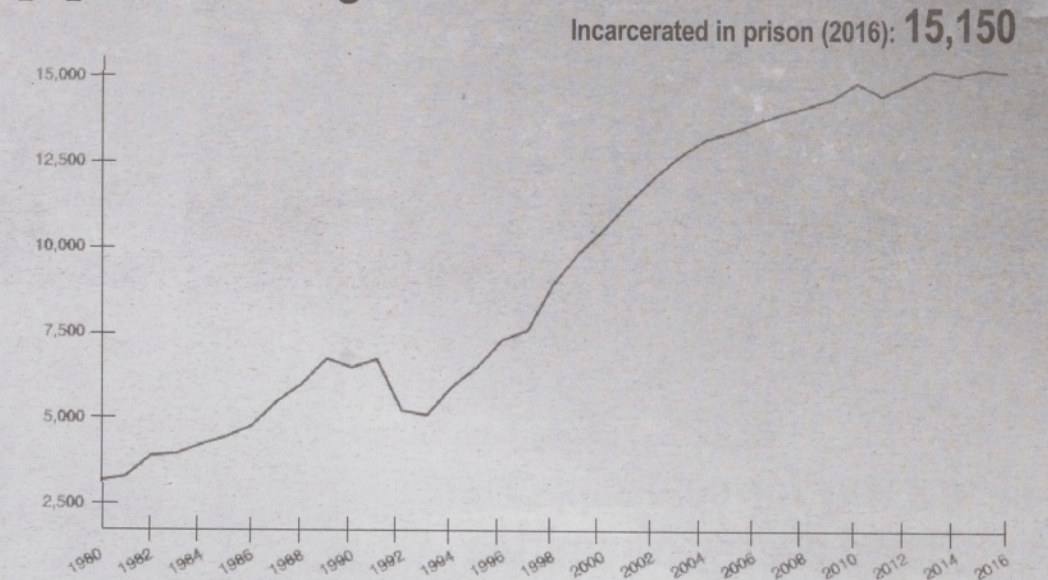
A.N.: The value that's added by including those lifers and family members of lifers is that we are reminded as readers, forced to remember, that these are human beings whose lives are touched by this sentence. Mothers and children and sisters and brothers, employers, they're all affected by the life sentence that's given to one individual. All those lives must shift to adjust to the fact that this person is going to be incarcerated for the rest of their life. It's helpful to know it's not just one life you're throwing away when you do that. It's sometimes a whole family or a whole childhood. In two cases, the individual

profiled has actually been released since we started writing the book. So it's helpful to know that sometimes, not often enough, when there is a second look given to these folks, we see that they do deserve a life on the outside. And then, for some of them, they have really gone above and beyond anything that many of us would have been able to do when enduring a life sentence. So I think about one lifer named Justin Singleton and all that he accomplishes in prison in terms of mentoring and vocational skills.

A.D.G.: *In writing this book, did you find hopeful signs that doing away with life sentences is an achievable goal in the near future?*

A.N.: I think it's going to be a tough fight, but the first part of this work is really a public education campaign. Most people aren't aware that we give life sentences so frequently and to so many people, including juveniles and people who have been victims of domestic violence. So the first step is to give folks a lay of the land. I think that there is good cause for optimism because there are progressive decision makers emerging around the country, prosecutors who are very reform minded, judges, lawmakers, and the American public. Films have done a lot to shed light on our criminal justice system, which is behind the shadows in many ways. So I think the confluence of all those things puts us in a good place to take this conversation about dismantling mass incarceration to that next level.

Oregon's inmate population at a glance



Total population incarcerated (jail and prison, 2016): 20,780

Life sentences (2016): 552 (3.8% of total prison population)

Life without parole (2016): 118 (0.8% of total prison population)

Juveniles in custody (2015): 1,113

Corrections expenditures (2016): \$1.019 billion

BY GENDER (2016)

Men: 13,846

Women: 1,304

BY RACE/ETHNICITY (2014)

White (per 100,000): 366

Black (per 100,000): 2,061 (5.6 black inmates for every white inmate)

Hispanic (per 100,000): 395 (1.1 Hispanic inmates for every white inmate)

RECIDIVISM (July-December 2013 releases)

Within three years of release from prison or from a felony jail sentence:

Re-incarcerated for a new felony crime: 18%

Convicted of a new misdemeanor or felony: 41%

SOURCES: CORRECTIONS POPULATION: U.S. BUREAU OF JUSTICE STATISTICS; THE SENTENCING PROJECT; RECIDIVISM: OREGON DEPARTMENT OF CORRECTIONS; JUVENILE POPULATION: U.S. OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION
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