The fate of those convicted of a crime inspires little sympathy in the average citizen. Though convicted felons may be guilty of violating not only laws but societal norms, any legislation that results in harsher punishment for the citizens of Massachusetts deserves careful examination. The proposed three strikes law is likely to produce several detrimental effects, including a costly burden on the Department of Corrections and erosion of the autonomy of the judges in our courts, and it will not result in an improvement in public safety. For these reasons, and many others, the students have deduced that the proposed three strikes law is not the most appropriate action to curb violent crime.

Habitual Offender Bill

Lina Bui ’13
Clair Weatherby ’12

■ The Bill

Bill H.3818: “An Act relative to sentencing and improving law enforcement tools”

■ Elevator Speech

We all value public safety and the prevention of crime, especially violent crime. So, when a member of our community breaks the law, we believe it is fair to punish that person in proportion to the crime committed.

Reducing violent crime has been the justification for the “three strikes” law currently in conference committee. However, this law is poor public policy. Academic research from the 25 other states with three strikes laws proves that this type of law is ineffective. Three strikes has been shown to do nothing to reduce violent crime. What it will result in is disproportionate sentencing for more minor crimes that should not be included in the law. Crimes like assault and battery, which does not even require any physical harm to occur, do not rise to the level of the most violent crimes.

Instead of implementing ineffective policies to reduce crime, let’s develop workable solutions. Let’s keep Massachusetts in the lead, not hanging on to ideas that have already been proven wrong. Will you agree to contact your legislators and ask them to pressure members of the conference committee to adopt a reduced list of felonies in the three strikes law?
Excerpts from Campaign Journals

Lina

The first meeting I ever attended about the 3-strikes bill was an EPOCA [Ex-Prisoners and Prisoners Organizing for Community Advancement] meeting that was held in Worcester on February 15, 2012. This was such an interesting experience for me since it was my first time attending any meeting about advocacy. Even though I was born and raised in Worcester, going to this event didn’t feel like I was going home. It was very much out of my comfort element when in my hometown.

What I remember most about the meeting was listening to the passion in everyone’s voices. The meeting consisted of five speakers, all with different viewpoints and ideas based on their careers and interests. This is where we met Jaime Ayers, a mother who would have been a victim of the three-strikes law had it been severely enforced; Ben Thompson, the executive director of Criminal Justice Policy Coalition; and Tatum Pritchard, an attorney with Prisoners’ Legal Services. From these three people, we were able to get three different outlooks on the habitual offender bill. From Jaime, we heard an emotional story that proved that there are other ways to help people than putting them in jail longer. From Mr. Thompson, we learned about the policy side of the bill, and how other states, such as California are faring after having their habitual offender bill in place for a few years. Finally, Ms. Pritchard described how the law works, what the actual text of the bill means, and what it would do for our legal services in Massachusetts.

With such a variation of viewpoints, people still learning about the bill, such as myself, and people who were already passionate about the cause were able to come together and develop a better understanding of what this bill means to the Commonwealth, how much it will cost, and what some of the consequences are expected to be based on the results in other states.

After hearing from these speakers and other panelists, the audience was allowed to ask questions, where you could see how involved and excited everyone was for the cause.

For me, attending to this meeting and hearing about other people’s experiences made my contribution that much more important, and the cause real. This is when it changed from being a class project to something that actually matters for me. I was very glad that I was able to make this meeting, because it showed me how many people were involved in getting this bill stopped. Before this meeting, I had the sense that a lot of organizations were involved and that the cause was important for a lot of people, but it wasn’t until I heard them in person – not on the computer screen, not through reading stories about ex-offenders in emails – I felt a connection and understood more about where they were coming from.

Clair

On April 3, 2012, Lina and I met with Senator Susan Fargo in her office at the State House, and had the opportunity to speak with her about the three strikes portion of the crime bill. Her Special Assistant recognized us from our first State House visit, during which we spoke with him about our position on the issue. This time, we sat down with Senator Fargo and one of her aides, who had read our research report. We attempted to advocate for a narrower list of felonies to be included in the law, and she appeared to agree on the issue and said at least one progressive member of the Committee appeared to as well. She was not willing to become an advocate herself. This meeting showed the importance of trying to nail down a concrete answer about a policymaker’s willingness or unwillingness to take on the issue. While we had a lovely time chatting, I realized later that our conversation kept getting steered away from three strikes; it was challenging to bring it back to our issue. The information we gathered from this meeting included the name of the aide working in Senator Cynthia Creem’s office that could tell us when and where the public meetings of the Conference Committee were happening and some insights into the political persuasions of those on the Committee. We would have done well to ask for a more concrete answer about her support on the issue we were there to talk about.

Update

As of August 20, 2012 the bill has been signed by the Governor and is effectively law.

For more information

Analysis of S.2080 & H.3818 “Three Strikes”

Boston Workers Alliance
http://bostonworkersalliance.org/?p=1353tools