

Traditionally, sentencing policies in the U.S. have aimed to serve three purposes: retribution, incapacitation, and rehabilitation. These policies were meant to be beneficial to the victims of crime, criminal offenders, and society. However, over the past two decades, in a misguided attempt to deter crime, lawmakers shifted to policies that are unfair, disproportionate, and detrimental not only to offenders and our families, but also to society. One such policy is mandatory sentencing. As a first-time offender, I'm currently serving a 33 year prison sentence due to Virginia's draconian mandatory sentencing policies. For my participation in three robberies, I received five 'Robbery' convictions, three 'Conspiracy to Commit Robbery' convictions, and five 'Use or Display of a Firearm in the Commission of a Felony' convictions. Virginia law mandates the imposition of three years for the first 'Use/Display of a Firearm' conviction, and five years for each additional 'Use/Display of a Firearm' conviction. These sentences must be imposed in whole, and they cannot be suspended or run concurrently with each other or any other sentences. Since I received five of such convictions, my mandatory time totalled 23 years (three years for the first 'Firearm' conviction, plus five years EACH for the other four 'Firearm' convictions, all imposed consecutively). I also received an additional ten years for one of the 'Conspiracy' convictions which, due to the aforementioned mandatory sentencing policy, had to be run consecutively with the mandatory 23 years, hence

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my total 33 year prison sentence. This policy completely negates the principles of proportionality and parsimony on which criminal punishment has historically been founded. Prior to my incarceration, I lived a positive, constructive life. I finished high school, I served my country for four years in the U.S. Navy (during which I was deployed to the Persian Gulf for Operation Iraqi Freedom/Enduring Freedom). I subsequently enrolled in college full-time at Old Dominion University. I worked, paid taxes, pursued a higher education, supported my wife and our children, and abided by the law. The offenses for which I'm incarcerated were an aberration, influenced by stress, financial hardship, and impaired thinking which, at the time, clouded my judgement. These factors, as well as the individual circumstances of the offense (including the facts that there was no physical violence and all stolen merchandise was returned), all should have been taken into consideration at my sentencing. But Virginia's mandatory sentencing policies don't allow for such consideration. These types of "one size fits all" policies don't work because they lead to unfair and obscenely disproportionate sentencing outcomes, and there's no practical benefit for the offenders or for society. I don't require 33 years of rehabilitation. I'm not a career-criminal or a repeat-offender who needs 33 years of incapacitation for public safety. I'm not a murderer, a rapist, or a terrorist who's offense was so abominable that I deserve to spend three decades of my life behind bars. These policies

only result in strained budgets, a waste of taxpayers' money (which, candidly speaking, would be better spent on public education and healthcare), and a waste of human capital.

- Marlee Clardy, Sr.