

A LIFER'S PERSPECTIVE

This essay is written with the intention of showing the reader why lifers—especially those sentenced at a young age—have the most potential for change and rehabilitation, why they are the least likely to reoffend if given an opportunity for release and what life is like for the long term prisoners who have renounced the criminal lifestyle.

My motivation for writing on this topic is the pain and frustration I feel, as someone who was sentenced to life—defined as sixty years under Connecticut law—having to watch the gang members and those committed to the criminal lifestyle indiscriminately released and given one opportunity after another at freedom while the many lifers who have forsaken and no longer want to be anywhere near criminal activity are forced to remain incarcerated. This is one of the biggest problems in our judicial system and by far the most illogical and unjust. I will admit that persons convicted of crimes that resulted in the death, or serious injury of another person, do deserve lengthy sentences in the interests of justice. But, the question is, at what point does justice become cruelty?

Connecticut has recently abolished the death penalty and has opted for a theoretically more humane, but in reality much crueler maximum punishment of life without the possibility of parole. While the death penalty was certainly not a very evolved or humane form of punishment, it was just. It was a fair punishment in the exchange of a life for a life, or more properly said, a death for a death. Let me be clear in saying that I am not an advocate for the death penalty—I believe in the capacity for change and rehabilitation in a human being. I only wish to point out that it is a much more humane form of punishment than to lock a person up for the remainder or majority of their life and give them no hope or opportunity for redemption. When a court hands out a life sentence, what they are doing is throwing a person away like a piece of garbage that has no value, while at the same time costing taxpayers millions of dollars over their period of incarceration to continue their valueless existence. It is a cruel and severely misguided sense of justice which deems it just to throw away a person's life without taking into account how maturity, education, and rehabilitative efforts may transform that person into someone who not only learns the errors of their ways and develops a sense of remorse, but who actively develops a desire to do good and affect a positive change in society. Locking a person up and not giving them an opportunity to redeem themselves through successful reintegration into society stems from an emotional desire for vengeance, not a logical, fair attempt at justice. I'm not arguing that every murderer or person convicted of heinous crimes should be given the opportunity for release. There are rare cases of serial killers, sociopaths and pedophiles who cannot be rehabilitated and society obviously needs to be protected from these extremely rare but dangerous predators.

Most people who are convicted of murder however are not the cold-blooded emotionless monsters depicted by the media in popular forms of entertainment. They are more often than not regular human beings who made a bad decision in a particular situation. Most murders happen because of one or more of the following reasons:

They reacted badly to a situation while young and/or under the influence of drugs or alcohol. It was a crime of passion or outburst of emotion with lack of impulse control, fear of the threat of violence or incarceration, or adherence to an ethical code shared by young people belonging to a criminal sub-culture which encourages murder in certain situations. These are all things that can be corrected through education and rehabilitation and such offenders should be evaluated and assessed periodically to determine whether or not they pose a threat to public safety.

While a life sentence is defined as 60 years in Connecticut, we can consider anyone sentenced to more than 30 years a "lifer" for the purpose of this essay due to the fact that anyone spending 30 years or more of their life in prison has spent or is going to spend, the prime years of their life incarcerated and if they are released, it is at an old age and they have little chance of making a good life for themselves upon release. This applies specifically to those who were given lengthy sentences at a young age. Many states arbitrarily determine that a criminal defendant should be held culpable as an adult between the ages of 16 and 18 years of age while at the same time making it illegal for persons under the age 21 years of age to buy or consume alcohol. It is unconscionable that law makers acknowledge the need to protect the young from their immaturity and inability to understand adult responsibilities or appreciate potentially grave, long term consequences by restricting the age of legal alcohol consumption to 21, while at the same time allowing people under the age of 21 to be tried in court as an adult and sentenced to extremely long prison sentences.

It is widely known in the scientific and psychological communities that the prefrontal cortex which governs the executive functions of reasoning, advanced thought, impulse control, and the ability to consider the consequences of one's behavior, is not fully developed until age 25. This is why persons under age 25 should never be sentenced to such a long period of incarceration where redemption and successful reintegration into society become virtually impossible. It is cruel and unjust to continually punish a person into the mature stages of adulthood for an incident that happened in their late teens or early 20's. For a long time America set the standard for being the fairest, most civil and humane judicial system in the world. Now we are falling behind. Many European countries are seeing the potential for change and rehabilitation in their prisoners and have stopped sentencing criminal defendants to life sentences. In Norway for example, a person cannot be incarcerated for more than 21 years for any crime. A sentence of 21 years is harsh, but it is long enough time for a person to fully experience the punitive aspect of their sentence and more than adequate time to be educated and reformed. By limiting the length of sentencing, countries such as Norway have validated the idea that every human life has intrinsic value and no matter how grave an act a person may have committed there is hope for correction and redemption.

The U.S. Supreme court recently ruled in *Miller v. Alabama* that it is illegal under the 8th Amendment for a sentencing court to impose a life sentence without the possibility of parole to a person under the age of 18 without taking into account various mitigating factors such as the youth's upbringing, education, potential for rehabilitation and other possible factors. This in effect solves nothing. What this decision says is that after taking into account these various mitigating factors a judge can still sentence a youth to a term of life in prison. Beyond this the court arbitrarily chose 18 as the cut off age for anyone seeking relief under this decision. The court in making this decision relied on

psychological and scientific data that said the youth mind is not fully developed until the age of 25, yet it offers no relief for offenders who committed their crimes between the ages of 18 and 25.

Prisoners who were sentenced to lengthy terms of confinement in their late teens and early 20's have the most potential for rehabilitation for the following reasons:

1. A person is still figuring out who they are and what they want to be in life well into their 30's.
2. As the natural process of maturation occurs behavior and decision making significantly improve.
3. They are still figuring out and reassessing their moral and ethical code.
4. "Lifers" are more likely than short timers to reflect on the decision that landed them in prison leading to greater feelings of regret and remorse.
5. "Lifers" are more likely to look for hope in the form of religion and or spirituality, the study and practice of which more often than not "softens the heart" and leads to a new perspective on life and a set of morals more compassionate than that of the average member of society.

One of the main reasons individuals who have spent a significant amount of time in prison are likely to reform and forsake the criminal lifestyle is due to the traumatic impact of having their lives ruined as a consequence of the life they were living prior to incarceration. For short timers on the other hand the criminal lifestyle is simply a game of cat and mouse with law enforcement.

They laugh and joke about how they can handle their 3-5 year bid and accept that it's just part of the lifestyle they're choosing to live. Many lifers on the other hand after 10 or so years feel a deep shame and regret for the life they lived as an adolescent and would literally give up a limb for an opportunity at freedom. The reformed lifer is unfairly forced to endure the foolishness and negativity of the committed career criminals, having to hear about their plans for continued criminal activity and watching them leave and return to prison time after time, knowing that if they were given the same opportunity they would never break the law again having learned from their mistakes.

In the interest of justice, some type of opportunities should be offered to those sentenced to significantly long periods of incarceration to prove that they no longer want any part of the criminal lifestyle, that they can function as law abiding citizens, and that they can positively impact the community in various ways with the knowledge and insights they have gained through rehabilitating themselves. It should be noted that participation in programming alone is not a good indicator of whether or not a prisoner is making sincere efforts at rehabilitation. This is one factor that should be considered but I know of many prisoners who have completely reformed themselves through self-education and have avoided D.O.C. offered programs because they are turned off by the numerous negative personalities who partake in these programs only for the purpose of bettering their chances of being granted parole.

In summation the main point I am trying to get across is that too many lifers who would never reoffend are purposelessly being kept incarcerated at the expense of taxpayers, while prisoners

guaranteed to reoffend are continually being released back into society to continue to victimize these very same tax payers. I would make the following recommendations to help resolve this issue.

1. Release those lifers, who after a period of time have demonstrated a desire to forsake the criminal lifestyle, back into society under the supervision of the offices of probation/parole with an ankle bracelet to monitor their movement and actions.
2. Mandate community service in the form of speaking to youth about how living a life of crime has negatively impacted their lives, their families, the victims and the community as a whole, how one can get out of a life of crime, and the differences between the real life consequences of criminal activity and the entertainment industry's glamorized version of it.
3. Automatically deduct 10% of their income upon release to be put into a victims fund for restitution.
4. Mandate participation in mentorship programs to mentor troubled youth in an effort to prevent them from going down a similar path.

The reader's questions and comments are welcomed; the author can be reached at

Anthony N. Brunetti#276789

Garner C.I.

50 Nunnawauk Road

Newtown, CT. 06470