

# LWOP: IT'S *NOT* THE S.M.A.R.T. THING TO DO

By Brett May

If you look to society, especially in America, the predominant model that drives success is the incentive based model. As an example, if you are a District Attorney and you're looking to promote, a healthy number of abiding convictions alongside your personal ambition will take you there. In any given field of employment, both government and private sector, there are specific and readily identifiable benchmarks (or quotas) that can be incrementally met, in order to climb the ranks. Even from a social standpoint the same set of rules apply. Within the context of a social hierarchy, upward mobility can be incentivized, and even leveraged to move from one rung of the ladder to the next. Only when you descend the rungs of our society, well beneath our impoverished people, will you find America's lowliest social class – our incarcerated people. There you will discover the exception to our nation's incentive based models, and capitalistic rule(s).

As an incarcerated person not sentenced to death, at least in theory, there is a clearly defined pathway to reenter the society you offended. At the very least, the possibility of such a path exists. With the exception of one distinct marginalized group, where no such pathway exists, an inhumanity that is being practiced in the United States of America – the men and women who are serving sentences of Life Without Parole (LWOP). For every other class of incarcerated people on the planet (not condemned to death by execution), human lives are considered redeemable and treated as such. Starting at day one in the reception center, after having been processed into the California Department of Corrections and Rehabilitation (CDCR); there is an individual-specific case plan put in place to reintegrate parolees back into society successfully. That plan is **(S.M.A.R.T.): Specific, Measurable, Action-oriented, Realistic and Time-bound**. These plans are what incentivize offenders to rehabilitate themselves and measure the offender's success. These plans are brilliant, with the exception of one thing – they exclude LWOP's. For those who have taken the solemn oath to be guided by justice and not their own ambitions – incentivizing rehabilitation is the SMART thing to do.

With respects to those who recidivate, statistics speak loudly. Former lifers who have served substantial amounts of time are **the least likely of our incarcerated population to reoffend**. LWOP's whose sentences have been commuted and found suitable through the Board of Parole Hearing have a 0% recidivism rate. It is the low level offenders, who commit crimes that are often indicative of underlying drug addictions; or those who commit chronic predatory crimes (such as serial sex offenders) who are the most likely to reoffend. These particular types of crimes are the symptoms and manifestations of sicknesses that cannot be cured by incarceration. I am by no means likening the two because they're two different sicknesses entirely. But I reference these specific crimes for the purpose of contrast. My LWOP experience has taught me that the LWOP community has most often committed crimes that are symptomatic of unexamined and unattended traumas. Trauma that is capable of being healed, and even cured, with cognitive intervention and therapy, over the span of doing time.



Incentive based sentencing is an effective way to administer criminal justice. Crime deterrent models and sentences with no hope are not. They simply do NOT create a safer society. They reason that criminals are educating themselves about crime and punishment prior to committing crimes; which is a fallacy. The reality is, most people know very little about the criminal justice system. Unless they are studying to become an attorney, or out of necessity because they committed a crime. The smart thing for us to do as a society, is to incentivize rehabilitation across the board, utilizing S.M.A.R.T. goals incentive based models. It's the most cost effective and fiscally responsible thing to do. But more importantly, it's the moral thing to do as Americans. We as human beings are not judged by how we treat our athletes and our celebrities (those we tend to revere) – rather, we are judged by how we treat our impoverished and our imprisoned (those we tend to cast aside as broken objects that cannot be fixed). LWOP, in theory and in practice, it's NOT the S.M.A.R.T. thing to do.