

THE AGING PRISONERS

by Jeffery J. Gardner

A large number of the Virginia Department of Corrections, prison population is older adults. Many of these people came to prison before the age of 25 and have served 20 years or more. Several of these men never had a drivers licence and most of them never owned a cellphone or used the Internet.

They came to prison as a product of society, whether they came from poverty, neglect, physical abuse, psychological abuse, sexual abuse, substance abuse, learning disability, or genetic disorder.

Many of these people came from families with a military history where their father, grandfather, uncle, or themselves have served. There seems to be a connection between poverty, military service, and conditions that lead to crime.

Criminality appears to be strongly linked to youth who make poor decisions possibly due to high testosterone, adrenaline, peer pressure, and undeveloped brains.

Whatever the circumstances that brought them to prison is in the past and can't be changed by any means, but their future could hold something more than dying in prison. The majority of these prisoners work to improve their circumstances through education, programs, and reflection in hopes that

Someday they will get a second chance at life. However, this is often to no avail and they die in prison only to take their rehabilitation to the grave.

When people do spend decades in prison, it's not always because they have left someone dead or seriously injured. A common reason given to keep a person in prison is "serious nature of crime". A solution would be to assess the actual injury inflicted or suffered and monitor the impact on the victims' ability to carry out daily routines and live a productive life. An assessment of their lives, such as performance in academics, work, relationships, and recreational activities could provide information of any trauma so that they could get treatment and strive to live their best lives. A crime shouldn't just be all about punishment and rehabilitation of an offender, it should be about helping the victim as well. Careful attention may reveal information to justify leniency.

The few people who do survive decades to be released usually have health problems. The Virginia Hospital and Healthcare Association, reported that VADOC inmates develop cancer, high blood pressure, heart disease, and diabetes at a rate 30 times greater than free members of society. Being old with medical issues doesn't make it easy to get a job or go to work.

In addition to medical issues hindering employment, very few of these aging prisoners possess any computer skills, which puts them at a greater disadvantage. A support system is hard to establish at this point if family and friends have died and leave no one to turn to for help.

Coming to prison young and leaving old leaves people without any Social Security or retirement. Leaving one hardship for another to struggle to earn enough money to put a roof over head and food on the table. Earning \$0.27 an hour for prison labor doesn't contribute much to the savings account, since toothpaste, paper, stamps, and envelopes aren't free.

Most prisoners aren't granted Geriatric Parole, until they are at the very end of their life.

The Bureau of Justice Statistics, crime specific recidivism rates clearly show what categories of offenders respond best to reentering society and VADOC evaluates all inmates with the VACORIS Assessment to determine their risk. Studies show that criminality decreases with age and at age 35 the decline is sharp.

It costs the taxpayers about \$34,000.00 a year to keep someone in prison. It only costs about \$3,000.00 to supervise a person on probation or parole who are working, providing for themselves,

paying taxes, and in many cases providing community service.

I am doing a 50 year sentence that I received at age 24, for crimes that I was accused of committing at age 21. I've never intentionally left anyone in need of a Band-Aid or bodybag. I was offered a written plea for 7 months to serve and 5 years of probation. I was offered a verbal plea for 45 days to serve and 5 years of probation. I went to a jury trial and it deadlocked. At my second trial I was convicted by a jury that did not represent a fair cross-section of the community based on race, sex, or age. It was 75% women and only one person was under age 45. Currently, I will be released at around 70 years old. My Case Plan Agreement, is for me to become a productive member of society upon release. I can't imagine what life will be like at 70, if I live that long.

I grew up in Southwest Virginia, and I was active in Boy Scouts, 4-H, and FFA. I served in the military and have an honorable discharge. I have 3 vocational trades and I have completed Anger Management, Breaking Barriers, and Thinking for a Change. I helped start the Veterans Support Group, at PSCC, in 2013. In 2015, I helped start the first American Legion Post in a VADOC facility. I'm serving my 6th term as 2nd Vice Commander. In 2020, I became the first inmate to receive Legionnaire of the Year. In 2021, I became the first inmate to receive the American Legion Child

Welfare Foundation - Foundation Ambassador's pin. I attended the Virginia Small Business Association - Boots to Business seminar. I qualify for VA benefits. During the past 20 years of incarceration I haven't participated in gang activities, fighting, gambling, drugs, alcohol, or tattooing, etc...

I am VACORIS assessed; Supervision Level-Low, Risk of Recidivism-Low, and Risk of Violent Recidivism-Low.

I am my parents only son and my grandparents oldest grandchild. They have spent thousands of dollars for post conviction relief to no avail. My incarceration has caused them hardship, especially since they have aged and need assistance with chores and errands. Labor that I once provided for free, such as mowing, cutting wood, changing oil in vehicles, and shoveling snow now comes at a cost.

Right now I have a good support system to transition from prison back to society, but that support won't be there when I'm 70.

Maybe inmate lives have more meaning and worth than society realizes. Maybe the collateral damage of a conviction to the inmates' families should be considered and given weight in sentencing and post conviction relief petitions.

There is more to my story at weyb.com/convicted, which aired on 7-26-21. I welcome questions and comments. I can be contacted via a Jpay email account; VADoc Jeffery J. Gardner