

When is a LIFE sentence too long?

Research suggests keeping older inmates locked up until they die might be an expensive and unnecessary price for the public to pay.

Now, even corrections officials are considering different options for older inmates. Some research suggests keeping them locked up until they die might be an expensive and unnecessary price for the public to pay.

Nationally, nearly 10 percent of more than 2.3 million inmates serving life sentences in 2008, including 41,095 people doing life without parole, up 22 percent in live years, according to The Sentencing Project, which advocates alternatives to Kernson. The increase resulted from lawmakers "dramatically" expanding the types and repeat offenses that carry potential life terms, research analyst Ashley Nellis said.

"The theme is we're protecting society, then the question is: From what?" said Soffiyah Elijah, executive director of the Correctional Association of New York, a watchdog group. She said with the cost of keeping a state inmate \$55,000 a year and their medical needs increase—a financial analysis shows that parole and probation are far cheaper punishments that can also satisfy the public need for retribution.

Meanwhile, data show new crimes by convicted felons steadily declining from their teens through their dotage.

"Most criminal behavior is tied with impulse control. The section of the brain that controls impulse control is the last section of the brain that becomes fully developed," Elijah said. There's a large drop-off in criminal behavior and recidivism after 40 or 45, she said, a point seldom made in public discussion "because it's not convenient. It doesn't dovetail with the kind of tough-on crime mentality that results in votes."

MAKING A CASE FOR FREEDOM

A Stanford University study in September showed the recidivism rate was less than 1 percent among 860 murderers paroled in California since 1995. Five returned to prison for new felonies, none for similar lifeterm crimes.

By contrast, nearly 49 percent of all released California inmates were recommitted for new crimes.

"Not only are most violent crimes committed by people under 30, but even the criminality that continues after that declines drastically after age 40 and even more so after age 50," the study found. In New York, the number of lifers with few prospects for release has grown in the past decade, tracking a national trend and raising a new set of criminal justice policy questions.

"What kind of treatment programs should we be considering for the offenders who have a sentence of life without parole, or enter the system with sentences of 50 years to life?" Commissioner Brian Fischer asked recently on the 40th anniversary of the deadly riots at Attica, another maximum-security prison in New York. Since the state's 1996 sentencing amendments for capital crimes establishing life without parole for first-degree murder, inmates with that sentence rose from four to 223, with 15 more expected each year, he said.

New York now has more than 800 prisoners who are 65 or older, double the total a decade ago. It has no death penalty, though 34 states and the federal government do. Federal prisons held 3,254 inmates age 66 or older in August, up from 1,326 in 2000.

From 1985 to 2006 in New York, 72 prisoners released when they were over 65 were returned for new crimes, less than 5 percent.

Total number of inmates serving life in Pennsylvania

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The State Department of Corrections has 4,988 inmates serving life sentences across 26 state correctional facilities, Bensinger said. A total of 23 inmates were sentenced to life in prison in Blair County, with 18 in Clearfield, 15 in Cambria, 13 in Centre, 11 in Huntingdon and three in Bedford counties, she said. SCI Cresson currently has 79 inmates serving life sentences. Regionally, SCI Huntingdon has 426 lifers followed by SCI Rockview with 264, SCI Houtzdale with 171 and SCI Smithfield with 162, DOC said.

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