Strike Out Three Strikes Essay, Research Paper

Strike Out Three StrikesLast year in California voters approved a controversial ballot initiative. Proposition 184, also known as the three strikes and you’re out law, was passed onNovember 9, 1994. Under this new legislation repeat offenders, upon committing theirthird felony offense, will be sentenced to a mandatory twenty-five years to life inprison(California 667). The initiative passed by a landslide, with 76% of the voters infavor of it. The State Senate soon after voted the bill into law, with only seven membersvoting against it. The three strikes initiative stemmed from the killing of Polly Klass byRichard Allen Davis, a convicted felon. The killing outraged the entire state but whatenraged people even more was that Davis had been in and out of prison his whole life andwas still free to kill again. Soon people began calling for laws that would put repeatviolent offenders behind bars for life. The premise of the new laws became an easy issuefor politicians to back. To oppose such legislation seemed to be political suicide, so mostpoliticians backed the initiative. Although many civil liberties groups opposed suchmandatory sentencing measures there was little they could in the face of tremendous voterapproval. Many voters did not realize that this bill could put potentially incarcerate peoplefor ludicrous amounts after the commission of a minor offense. Even more voters did notrealize the cost of implementing such a bill. Now that this new legislation has been ineffect for a year and the tremendous negative effects it have become obvious we mustrepeal it. One of the issues that must be considered when imposing mandatory sentencing isthe increased cost of incarceration. In the state of California it costs $20,000 per year toincarcerate an inmate under normal circumstances(Cost 1). This amount of money couldput one person through a state college for two or three years. According to Beth Carterthe three strikes law has placed 1,300 people in prison for a third strike offense and 14,000people in prison on a second strike offense(1). The current recidivism rate in California is70%(2), which means that out of those 14,000 people that almost 10,000 will be back inprison for a third strike. To imprison those 1,300 third strike offenders for the mandatoryminimum of twenty-five years will cost the state of California $812,500,000. To supportthese inmates for longer periods of time we will have to increase the amount of moneygoing to our prison system. This means that either spending in other areas will be cut oran increase of taxes. Neither of which is highly favored by voters. On a national level theJustice Departments budget has increased an alarming 162% since 1987(Cost 2). Themoney that is being spent incarcerating these people can be more well spent in other areas. The money can be spent on crime prevention and rehabilitation, rather than retribution. Before the three strikes law was enacted it had been estimated that to keep up with thegrowing prison population on a national level that it was necessary to spend $100,000,000per week on our prison system(Ogutu). Now that we will be having more and morecriminals behind bars we shall have to spend even more money building and keeping upour overcrowded prisons. Of these people that taxpayers are paying to imprison Mauer

suggests that as many as 80% will be non-violent offenders. So far 80% of the second andthird strike offenses have been for non-violent crimes, most of these being drugoffenses(23). There have only been only 53 people with second and third strikeconvictions for rape, murder, and kidnapping(Carter 1). This law’s lack of effectivenessclearly does not warrant its huge price. The other aspect to consider in the implementation of the three strikes legislation isits effect on non-violent offenders. These are the people hardest hit by this law. It isdifficult see how society can justify sending a drug addict to prison for 25 years at a costof $20,000 per year when the money could be used to fund drug rehabilitation centers andalternative programs for our youth. Most drug users are not in need prison, they are inneed of help for their addictions. If a fraction of the money it would cost to imprison themis put toward drug rehabilitation programs it would save the state money, while at thesame time helping the individual. The three strikes legislation is directly aimed at violentcrime, but its track record has shown that it has missed the mark by a long shot. Someoffenders have been convicted for a third strike on relatively small offenses. For example,a man named Steven Gordon was convicted for his third strike after stealing a wallet thathad $100 dollars in it. His previous offenses had all been non-violent, yet he wasconvicted under our three strikes law(Franklin 26). This is not an isolated incident either. Franklin cites numerous examples of cases where people were convicted under thislegislation for non-violent offenses(26). These types of cases just illustrate how the threestrikes legislation is targeting non-violent offenders, as opposed to its goal of targetingviolent criminals. After one year in effect it is easy to see what our three-strikes legislation has done. It has become easy to picture the long term effects of such broad legislation on oursociety. Although this law was enacted by the will of the people, it has not carried out thewill of the people. People wanted a law that would put dangerous repeat offenders behindbars for life. Instead we are now putting an increasingly large number of non-violentoffenders behind bars for extended periods of time. It would be easy to justify the cost ofremoving a violent menace from our society, but justifying the cost of imprisoning peoplewho are of no threat to anyone but themselves is difficult. We must look closely at whatthis legislation has done so far. It has placed many more non-violent offenders in prisonthan violent offenders. The legislation stands to cost the state millions of dollars per yearto incarcerate people of longer prison terms. Clearly the three-strikes law has not servedits intended purpose it must be repealed.

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