

Beacon Hill Byline by Mary Rogeness

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### **Truth in Sentencing**

Lawmakers are still cataloging the bills that were enacted in the flurry of the last days of the legislative session. One such bill is the "Truth in Sentencing" measure, a part of the Gov. Weld's crime control package.

After July 1, criminals won't get automatic "good time" for serious crime. The new law acts to close the revolving door of the state's prisons by changing the definitions of prison sentences of convicted criminals. These are the reasons for the new law and the changes that will result from its passage.

One reason for the changes in the new law is the shock recently expressed by the public when high-profile violent criminals have been released from prison after serving a small fraction of a stiff sentence. Another is that society needs the security of knowing that a term in a correctional institution means what it says.

Prisoners today can often reduce their sentences to one third of the original sentence imposed by the judge. Some convicted felons can obtain release after serving only one tenth of the sentence. This is done through the use of statutory good time and legally lenient sentences. The time behind bars is reduced automatically with each day the prisoner serves, qualifying a prisoner for release much sooner than the sentence states.

The new bill was signed into law Jan. 11 by Gov. Weld. It repeals the earlier leniency and requires prisoners to serve their minimum sentence before becoming eligible for parole. In addition, the legislation creates a 15-member sentencing commission composed of judges, lawyers, prosecutors and other criminal justice professionals. Bearing in mind the public policy issue of limited prison space for the incarcerated population, the commission will review and recommend criminal statutes so that guidelines may be established to equate sentences with resources. Those guidelines will be subject to approval by the Legislature.

Judges will be prohibited from deviating more than 20 percent either way from the guidelines without writing opinions listing aggravating or mitigating circumstances to substantiate that deviation.

These new guidelines will ensure that sentences that are given will be served. We will not witness the sad reality of a felon walking the street after serving a small fraction of a sentence that promised prolonged time behind bars.

The truth in sentencing law is only the first measure the legislature is taking in response to today's increase in violent crime. In the new session we expect to take up the concept of "three strikes, you're out" with a bill that mandates life imprisonment for any felon convicted three times for a violent offense. Watch for action this year on this and other anti-crime issues.