

A 5-POINT APPROACH TO ADDRESS THE ONGOING PROBLEM OF CRIME IN OUR COMMUNITY

By Kevin Gallagher

1. Stop the cycle of Recidivism:

It is time to focus our Department of Corrections back on correcting. Nearly 70% of convicts released from prison in Tennessee are rearrested for a felony or serious misdemeanor within three years. Our justice system is failing. When budgets get tight, job-training, drug treatment, and rehabilitation programs are the first to get cut. Unfortunately, these cuts only cost us more in the end, as released criminals go back to the same life and environment that led to a life of crime in the first place. Funding for effective rehabilitation programs should be made a permanent part of the corrections system.

2. Rehabilitate Juvenile Offender Before They Become Adult Criminals:

The time a youth spends in secure detention or confinement is not just time away from negative factors that may have influenced his or her behavior. Detaining or confining youth may also widen the gulf between the youth and positive influences such as family and school. Research on traditional confinement, where a large majority of confined youth are still held in the United States, has found high recidivism rates. As many as 50–70 percent of previously confined youth are rearrested within 1 or 2 years after release. Simple confinement of juveniles does not address the problem of recidivism.

More funding for rehabilitation programs and alternative sentencing guidelines should be available from the state to allow judges to get juvenile offender the rehabilitation and counseling they need to be productive members of society as adults instead of growing up to be adult criminals.

3. Remove Violent Social Predators Permanently:

Overwhelmingly, most crimes in our community are committed by a core group of habitual social predators. It is time to remove these hardened criminals that cannot be rehabilitated from our community for good. Three-strikes law do not work and ultimately fill our corrections system with prisoners that are sentenced to life for minor offences. However, judges should have the discretion to declare a person a habitual offender based on their entire criminal record. Judges should also be given the latitude to sentence such offender for an indeterminate length of time until they can demonstrate they are no longer a threat to society.

4. Restorative Justice Programs and Alternative Sentencing:

Simply locking up criminals drains the financial resources of the state and has not reduced crime. Kevin Gallagher will push to give judges the flexibility to order alternative punishments for crimes. He will also work for more restorative justice programs where victims have a say in sentencing and criminals have to work to repair the damage they caused. Restorative Justice programs that have proven to be effective include:

Community Accountability Panels are meant to hold the offender accountable for the crime by imposing mutually agreed upon consequences to address harm or damage caused. Community Accountability Panels usually deal with minor offences. Cases can be referred from the criminal justice system or are informally referred by community members. The key participants in this model are the community panel members, the offender, and sometimes the victim, where appropriate.

Family Group Conferencing/Conferencing brings together those involved in and affected by the offence to allow the offender to take responsibility, the victim to voice the impact of the offence, and the support and community members to assist in the resolution of the crime. Conferences have been used to deal with minor to moderately serious offences, e.g. theft and assault. The facilitator acts as a guide for the dialogue between the victim and the offender to take place. It is not uncommon for a representative of the criminal justice system to be present, e.g. police officer, lawyer, or parole officer.

Victim-Offender Mediation provides a forum for victims and offenders to meet in a safe and respectful environment with the assistance of a facilitator. The purpose of the meeting is to explore and discuss the effects of a crime, and the ways in which healing can take place. Victim-Offender mediation is often used for more serious crimes, e.g. assault and murder. A meeting can occur between the victim and offender pre-sentence, post-sentence, or independent of a formal response by the criminal justice system.

5. The First 10% for Victims:

Fines paid by convicted criminals should be used to repair the damage caused by their crimes. Kevin Gallagher will push that the first 10% of criminal fines collected go toward victim assistance and recovery programs in the county or municipality where the crime was committed.