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## **ACLU OF RI POSITION: SUPPORT**

### **TESTIMONY IN SUPPORT OF 22-H 7191, RELATING TO CRIMINAL OFFENSES -- HOMICIDE March 3, 2022**

The ACLU of Rhode Island strongly supports this legislation which would eliminate the criminal sentence of “life without parole” in Rhode Island.

Obviously, people who commit heinous crimes and represent a danger to society deserve punishment. However, the overwhelming number of offenders, including violent offenders, “age out” of the impulsive actions that often have prompted their commission of the crime at a young age for which they are serving time. Imposing life without parole robs individuals of any rehabilitative hope, one of the purported goals of incarceration. Perhaps most importantly from the state’s – and the taxpayer’s – point of view, it is extraordinarily wasteful in terms of public resources and dollars.

Prisons across the country, including the ACI, are fast becoming geriatric facilities. Last year, in partial recognition of this problem, the General Assembly approved amendments to the state’s “medical parole” statute to recognize the geriatric consequences of long sentences. According to a recent report issued by The Sentencing Project, 31% of the ACI’s population consists of people who are 55 years of age and older. Prison facilities do not have the means or capability to serve the medical needs of elderly prisoners, and the public is not served in any way by keeping people locked up in their last years of life when they clearly represent no threat to society and have just as clearly “served their time.”

In addition, there is a clear discriminatory impact to this type of sentencing that is worth noting. According to The Sentencing Project report, an incredible 59% of the people at the ACI serving life sentences are Black or Latinx.

It is important to emphasize that eliminating “life without parole” does not mean an offender cannot be kept in prison for life. Instead, it will remain up to the parole board to determine – based on a variety of relevant factors – whether the state’s interests in public safety, rehabilitation and retribution are met after decades of serving time in prison and warrant release before the individual is left to die in prison. That is where the decision should belong. But to close the door on any opportunity whatsoever for parole – after a person has served 30, 40 or 50 years in prison – is short-sighted, extremely cruel and wasteful.

The ACLU urges the committee’s support for this bill.