

# Three strikes law essay



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Three Strikes Law-Criminology Paper Cost Comparisons of the Three-Strikes Law Over the past several years, considerable debate has been centered on the well-publicized “ three strikes and you’re out” policy. This law was put into place in the hopes of striking fear into the hearts of criminals by mandating harsher penalties. If these criminals are found guilty, they will be expected to serve a mandatory prison term of 25-years to life. Proponents (Mike’s Corner, 2006; Methvin 1997), of the three-strikes law, argue that it has been effective in reducing serious crime and that the reduction has had huge financial awards. Some studies (RAND, 2005) point toward other alternatives that could be more cost effective and keep the three-strikes law to only hardened criminals.

Having researched and studied different views and alternatives, I believe that the intent of this law has fallen short of it’s goals. The money to finance this law puts tremendous strain on our society’s quality of life. The three-strikes law will double the fraction of the general fund consumed by the Department of Corrections (RAND, 2005). This law will put enormous pressure on everything else the state spends money on, which will include education, environmental pollution, fighting brush fires, and regulating insurance’s and other industries. Because over half of all prisoners sentenced under this law are for nonviolent crimes, I think an alternative law is necessary in order to ensure that only serious criminals are charged and prosecuted. A study by the RAND Corporation has researched the three-strikes law and believes that legislators should reconsider a new law and, perhaps, favor an alternative mandatory-sentencing measure.

RAND researchers constructed and ran analytic models taking advantage of data on arrest rates, time served, prison populations, and length of criminals' careers. Using data on these populations, the researchers determined crime rates and costs. The findings show that both the benefits and costs of a new law would be substantial and that alternatives could be devised that would achieve most or all of the benefits at less cost. RAND analysis showed that, more often than not, the hird-strike will accrue for a minor felony, such as motor vehicle theft, as opposed to one of the serious crimes for which this law was intended.

RAND proposes a new law that would reduce serious felonies, committed by adults in California, between 22 and 24 percent. About a third of the felonies eliminated would be violent crimes such as murder, rape and assault causing great bodily injury. The other two-thirds would be felonies that are less violent or nonviolent but still serious, including less injurious assaults, more robberies, and burglaries of residences. This reduction in crime would be bought at a cost of an extra 4.5 billion to 6.5 billion per year in current dollars.

The intent of the three-strikes law, of course, is to lock up repeat offenders longer, and that requires the construction and operation of more prisons. Some police and court costs may be saved in not having to deal so often with such offenders once they are locked up, but greater prison costs overwhelm such savings. This new law would get rid of “ strikes” and instead guarantee that those convicted of a serious crime serve their full sentence. What if we adopted a law that sends all those convicted of a serious felony to prison, eliminate “ good time” to ensure full sentence, and shift some minor

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felons from prison to probation (RAND, 2005)? With an increase in prisoners, from the three-strikes law, comes an economic financial burden. The cost of keeping a shoplifter in prison for a minimum of 25 years costs approximately \$22, 000 per year (Mike's Corner, 2006). The actual cost is estimated to be much higher for long term inmates, due to increased security and medical costs for aging prisoners.

It is estimated that the three-strikes law will add an extra 8, 300 convicts a year to the state's prison population (Methvin, 1997). This is a total taxpayers cost of ( $\$22, 000 \times 8300 = \$182, 600, 000$ ) One Hundred Eighty-two Million, Six Hundred Thousand Dollars per year. The cost of keeping approximately 8300 prisoners for 25 years adds up to ( $\$22, 000 \times 8300 \times 25 = \$4, 565, 000, 000$ ) Four Billion, Five Hundred Sixty-five Million Dollars. With such an increase of inmate population every year, the cost alone to build prisons for the next five years is estimated at \$6.

5 Billion (Methvin, 1997). Mike's Corner, a proponent for the three-strikes law, argues that although the cost of incarceration is high, the cost involved in allowing a criminal to walk our streets is even higher. Due to a study by the U. S. Departments National Institute of Justice, the cost is broken down to both tangible and intangible losses, and some surprising results demonstrate that reduced crime has a huge financial award.

Each crime was assigned a dollar value based on the cost of apprehension, prosecution, incarceration, physical loss to victims, damage to property values, loss to business, etc. For example, each murder would cost \$2, 140, 000; each robbery \$19, 000; each assault \$9, 350 and each burglary \$1, 400.

When attaching a cost savings to these reduced crime numbers, this study found that the savings add up to almost exactly the amount by which California's budget was increased to \$100 billion, and the state's budget has double while its crime rates have been cut in half. The governor of California, Arnold Schwarzenegger, is pushing a new plan to build more prisons. He is quoted as saying that we " desperately need new prison cells to accommodate our exploding prison populations.

" Schwarzenegger urged lawmakers into action, less than a week after a federal court monitor sharply rebuked him for retreating from prison reforms he had promised after taking office in 2003. Some critics called the governor's move an election-year gimmick. In his speech, Schwarzenegger offered a four-part plan that he said would relieve overcrowding in the nation's largest prison system and would help more convicts stay crime-free once released. With the inmate population at an all time high and 16, 000 inmates sleeping in gyms, hallways, and even outside at one prison; the governor said California " desperately" needed more cells.

He embraced a bill by Assembly Speaker, Fabian Nunez, to use lease bonds, which do not require voter approval, to build two prisons for at least \$500 million apiece. He has also asked for authority to expedite spending and contracting. Because California has overcrowded their criminal justice system. We have locked up too many people, and in my opinion, this has lead to an unnecessary overcrowding of our prison populations. So, while the governor talks about the " desperate" prison crisis, think about where the desperation really lies.

We desperately need to stop locking up large numbers of nonviolent offenders for 25-years to life. With just this one change in the three-strikes law, our society would have more money to fund crime prevention strategies, while still having enough left over to help with much needed educational costs. After researching the cost effectiveness of the three-strikes law, I am more convinced than ever that a new alternative concept is necessary. I find RAND's suggestions and visions to have a lot of merit, and I would like to see many of their ideas take place in our criminal justice system.

However, I believe the best way to handle violent criminals, while still keeping costs down, is to incorporate a full-term alternative. The advantages of this approach would increase sentences for all serious offenders, even first timers who are at the start of their career, and impose a full sentence without accounting for "good time. The three-strikes law does not crack down on first-time offenders, but instead expands large amounts of money into keeping older criminals—including many convicted of minor offense's—locked up. If the three-strikes law would only apply to serious criminals, the cost to our taxpayers and state would drop dramatically.

I have confidence that a full-term sentence would be just as effective as the three-strikes law, but at a substantially lower cost. With 57 percent of the third strikers being nonviolent offenses, typically drug violations or burglary, the law hasn't necessarily targeted the most dangerous criminals. Third strikers are ten times more likely to be charged for a drug offense than for second-degree murder. In fact, third strikers sent to prison on a drug offense outnumber the combined total whose offense was assault, rape, and second-

degree murder, according to the Justice Policy Institute, a research and public policy group that has been critical of the law. This leads me to believe that nonviolent criminals with minor offenses should not be dictated under the three-strikes law. In my opinion, probation, rehabilitation, and supervision would be more cost effective and reasonable.

We desperately need to stop locking up large numbers of minor offenders and, instead, focus on funding for crime prevention strategies. References Hickey, T. J. (2006). Do Three Strikes Sentencing Laws and Other “ Get Tough” Approaches Really Work? Taking Sides: clashing views on controversial issues in crime and criminology (7th ed.

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