

The Virgin Islands Consortium

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Senate Rules Committee Approves Bill to Reduce Sentences of Criminals Who Complete Education Programs in Prison

ST. THOMAS – A Senate committee considered two bills at the same time – one that seeks to reduce the sentences of convicted criminals who complete academic, vocational and drug rehabilitation programs while in prison – the other dealing with removing a criminal conviction from a person’s record. The hearing was held at the Earle B. Ottley Legislative Hall Thursday.

Sen. Nereida Rivera-O’Reilly, the prime sponsor of legislation, said the bills were important to reduce the number of inmates who return to a life of crime after being released from prison. Testifiers also commented on the bill that seeks to remove a person’s criminal conviction for misdemeanor offenses two years after being released from prison.

“If we call ourselves a Christian community, we should spend less time judging and more time loving,” Rivera-O’Reilly said.

Scott Bradley, the co-founder of My Brother’s Workshop, a St. Thomas-based organization that works with at risk and high risk youth aged 16-24, stressed the importance of educating people in prison because “85 percent of the offenders have trouble reading.”

“There have been several major studies that have shown that education programs alone can reduce recidivism 43 percent,” Bradley said. Recidivism refers to the rate in which people return to criminal behavior.

Dwayne Benjamin Sr., the acting director of the Bureau of Corrections, said “overall the Bureau of Corrections endorses the bill,” and added that educational programs in prisons not only improve the chances of inmates

succeeding in civilian life, but also reduces the amount of “idle time” a prisoner has, thus reducing opportunities “to engage in non-productive activities.”

Soraya Diase Coffelt, a former judge with the Superior Court, said “based on my extensive experience, I am of the firm opinion that our young men have been and continue to be in crisis.”

“Research has linked crime to illiteracy,” Diase Coffelt said. “And we have a major issue with illiteracy in our islands.”

Attorney Samuel Joseph, the chief public defender in the office of the Territorial Public Defender, said a lack of education is a contributing factor to the high rate of crime in the Virgin Islands and applauded the bill and amendment Nereida-O’Reilly put forward.

“If an individual cannot get a job due to an arrest, conviction or incarceration, then he or she is forced to support themselves by any means necessary,” Joseph said. “It is simple cause and effect. The proposed changes would allow people to move forward and shake off the stigma of the past.”

Ilene Garner, director of the University of the Virgin Islands’ Community Engagement and Lifelong (CELL) program, said that “it is well documented that inmates upon release who do not have requisite skills and training to secure employment are likely to return to the system.”

“It is also documented in RAND studies concerning education attainment during incarceration and re-entry that inmates who achieve education and training that provides them with a credential enhances their opportunities for employment,” Garner said.

Sen. Kenneth Gittens, chairman of the Rules and Judiciary committee, said that studies show that education programs are cost effective and that “it costs more to incarcerate than educate.”

“Why are we totally crucifying a person from being a productive tax-paying citizen,” Gittens said.

Rivera-O'Reilly said that Scandinavian countries like Norway and Sweden have prison guards that also act as guidance counselors to inmates and that this should be the example the territory follows when it comes to offering higher education to prisoners.

Non-committee member Sen. Kurt Vialet and committee member Sen. Novelle Francis Jr. each said they campaigned in favor of legislation such as the measures currently before the committee and said they supported it.

"We create the environment that we live in," Francis said. "I believe this bill will address some of the recidivism we've seen."

Bill No. 31-0074 and Bill No. 31-0094 each passed through the committee by a vote of 6-1, with Gittens casting the no vote each time. The bills now go before the full Senate for approval.

After the vote, Gittens, who chairs the Committee on Rules and the Judiciary, said he reserved the right to vote in favor of the measures in session if the cosmetic changes he suggested are made to them.

The Committee on Rules and the Judiciary continued with the consideration of the remaining two bills on the agenda after 3 p.m.