

Death by Incarceration: Life Without the Possibility of Parole (LWOP)

"The Other Death Penalty"

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Global Research, August 07, 2014

Region: [USA](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

In the past twenty plus years, a new criminal sanction has found its way into statutes in at least forty plus states: a life sentence without the possibility of parole (LWOP). Although life sentences have been common in all states, there had always been a mechanism for releasing prisoners when it was determined that they had served long enough.

Some have argued that LWOP serves as an “alternative” to the death penalty, and that the LWOP option has the effect of reducing the number of death sentences. Yet we have seen the populations on death row continue to skyrocket at the same time that more and more people are sentenced to LWOP. In other words, the death penalty often serves as a lightening rod for criminal justice reformers, who tend to see anything less than death as humane. However, life without the possibility of parole is used as a sanction not only for capital cases, but as a sanction for a wide variety of offenses. No Western European Country has such a penalty except Britain, which has twenty or so people serving life without parole, whereas California has five thousand plus prisoners with LWOP and nationwide we have fifty thousand plus prisoners with LWOP. The United States has 40 plus states with LWOP laws. LWOP is costing the country hundreds of millions of dollars a year.

Life without the possibility of parole makes no allowances for changed behavior, or for reconsideration of the gravity of an offense. It throws away the key without mercy. Like the death penalty, it is a clear signal that “our” criminal justice system has given up any goal or possibility of rehabilitation. Although prisoners have continued to appeal to courts for redress, the limitations that have been placed on habeas corpus drastically limit legal appeals for wrongful imprisonment. In my many years of work with other prisoners, I have seen people change, and I have seen first hand the extent to which peoples lives are wasted in prison – through enforced idleness, abuse, neglect, and societal attitudes of revenge. As a society, we need to find a more productive way to deal with our outrage at violent crimes. By giving in to the appetite for revenge, our death – penalty and life without the possibility of parole system encourages media, politicians, prosecutors, police, prison guards, victims right groups, and others to appeal to what is arguably the most primitive strain in humanity.

I have worked closely with many prisoners’ families, whose lives are deeply and often irrevocably affected. Many human and civil rights organizations have documented the many ways the court and law enforcement systems are highly discriminatory and disproportionately punish poor people and people of color. What would Jesus do?

Present criminal justice policy demonstrates that we as a society do not believe that

offenders can repent, show remorse, and work toward healing themselves and their relationships. When the weakest or most impoverished among us does not experience the support or sustaining balance of a healthy society, we are not a just society. Just as when survivors of serious crime are unheard, marginalized, or exploited, when offenders suffer the unending isolation of our prisons We can hardly lay claim to justice. In fact, any ideology that demands the intentional increase in suffering rather than its diminution can hardly lay claim to justice.

We as a society have imprisoned more than two million of our brothers and sisters and put in place structures and institutions that continue to punish and torture them for the entirety of their lives. Our comfort with punishment, revenge and torture should alarm us and make us ask ourselves profound questions about who we are as a people. We have legalized our desire for revenge in our criminal code. If this makes us uncomfortable, it should. How far should the state go to satisfy some peoples' craving for revenge? Is legal murder through the death penalty and "the other death penalty"- Life without the possibility of parole the end point? Do we still really believe that revenge brings balance to our communities? What would Jesus do?

In conclusion, I recognize that there are people who are so dangerous that they need to be separated from society, but they do not number in the millions. They may not even number in the thousands. Secure, humane institutions should be established where these relatively few individuals can live their lives safely separated from society, but always with the potential for repentance and possible reintegration. They should have every opportunity to develop themselves and contribute to society; they should be separated, but not punished or tortured. Whatever you think about the death penalty, which also includes life without the possibility of parole (LWOP); a system that will take life must first give justice. In other words, you cannot do a wrong thing in a right way.

Our vengeance-soaked culture is in desperate need of being called to higher moral and spiritual ground. Survivors of murder victims need to be free to do their grieving in natural, human ways not skewed and distorted by sensationalist media, opportunistic politicians, and cynical prosecutors. They do not need decades of being subjected to the sifting tides of the judicial systems appellate process in the futile search for closure" via another premeditated killing, this time by the state. What would Jesus do?

And finally, I acknowledge the difficulty in moving beyond revenge, punishment and torture, as we currently live in a violence – and revenge ridden culture. But just as the first step toward healing comes with truth telling, the first step advocates of social change must take is to articulate a different reality.

In order for a true discussion of forgiveness/ restorative justice to take place, all of us – not just survivors of crime – must learn to see those who commit crime as human beings. It is easy not to forgive or restore when applying the assumption that the person who has caused harm is less than human, incapable of doing otherwise or of changing for the better. Only by re-humanizing those who commit crime is forgiveness / restorative justice (healing) possible. Life without the possibility (LWOP) is a living death, and is cruel and most unusual to say the least.

What better prisoner to have in these slave factories than prisoners with life without the possibility of parole as there is no turnover rates to worry about! You can literally work

prisoners to death.

I believe that every person has the potential to respond to God's initiative. As a society, which claims to be largely "Christian" and/ or religious - we must create conditions that foster and nurture such an understanding. Life without the possibility of parole (LWOP) is incompatible with this vision. It removes hope from the lives of prisoners and their families and assumes that people's lives are irredeemable. It also precludes the possibility of the society as a whole changing in its punitive, revengeful stance toward offenders. What would Jesus do?

Life without the possibility of parole (LWOP - "The Other Death Penalty") is the ultimate form of injustice carried out in the name of justice and is an offense to human decency and is in fact a blatant human rights violation.

A test of morality is what a society does to its' prisoners...

Nature of the Prison System

The prison system in California has become a larger and larger economic force; guard unions have also become a larger political force.

The California Correctional Peace Officers Association (CCPOA) is the second largest contributor to California political campaigns and a powerful lobbyist for prison expansion. CCPOA and guards organization in most other states now fund a number of retributive crime-victims groups that join the guards in lobbying for longer sentences, harsher prison conditions i.e., super-max housing units - SHU an expansion of the death penalty i.e., Life Without the Possibility of Parole also known as "The Other Death Penalty" - (LWOP).

The Thirteenth Amendment to the United States Constitution states:

"Neither slavery nor involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction."

In other words, the United States has not abolished slavery; it simply transferred it into the prisons.

Prison slavery in the form of "Involuntary Labor" is real, every day inside California and America in general (public and private). Are we okay with this as a so-called democratic society?

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