

Virginia to debate criminal justice policy

by Marianna Wertz

The Commonwealth of Virginia, which under Attorney General Mary Sue Terry became notorious for the corrupt persecution and jailing of leaders of the LaRouche political movement, will debate its criminal justice policy in the 60-day legislative session which begins Jan. 12, and in a special session on the subject called by Governor-elect George Allen after April 15. Allen also recently announced that he will convene town meetings across the state on his proposed no-parole policy for violent offenders, and will invite state lawmakers to the forums so they "have a clear understanding of the will of the people."

Six leaders of LaRouche's movement—Rochelle Ascher, Michael Billington, Anita Gallagher, Paul Gallagher, Laurence Hecht, and Donald Phau—all innocent, are currently political prisoners in the state, serving sentences ranging from 10 to 77 years for the alleged crime of "securities fraud" (see *EIR*, Nov. 26, 1993, p. 16).

Criminal justice policy was hotly debated in the recent Virginia elections, in which former Attorney General Terry, who made the persecution of LaRouche's political movement a major theme of her campaign, was trounced in the race for governor.

The victorious Allen campaigned on a proposal to introduce a version of the no-parole system introduced five years ago at the federal level. On Nov. 22, the Virginia Commission on Parole and Sentence Reform, anticipating Allen's proposals, heard testimony from Dr. Gerald Gaes, director of research for the U.S. Bureau of Prisons, who said that he "doesn't have an answer" to whether the end of parole and mandatory sentences have served as deterrents; he also testified that, unless there is more federal financing or additional changes are made to relieve the overcrowding and inmate control problems caused by the reforms, the federal corrections system "will collapse under its own weight."

Nominated to head up a transition team crafting Allen's plan are former U.S. Attorney General William Barr, who served in the Bush administration, and former U.S. Attorney for the Eastern District of Virginia Richard Cullen. On July 28, 1993, in the waning days of his tenure as attorney general, Barr proposed a sweeping plan to introduce no-parole legislation at state and local levels nationwide, and to use an enraged

citizenry as a battering ram to push his "lock them up and throw away the key" plan through reluctant state legislatures.

While Allen's plan reflects at least part of Barr's thinking on this issue, he has equally stressed the need to implement alternatives to prison for non-violent offenders, particularly because of the need to find prison space for the large increase in prisoners that would result from a no-parole system.

Justice based on inalienable rights

Nancy Spannaus, a leader of the LaRouche political movement who ran as an independent against both Allen and Terry in the gubernatorial election, and who has announced her candidacy for the June 1994 Democratic primary for U.S. Senate, has put forth an alternative corrections policy in a campaign statement. She opposes the no-parole plan, but supports alternatives to prison for non-violent offenders, as part of an overall "policy of justice consistent with our fundamental commitment to the inalienable rights of all men to life, liberty, and the pursuit of happiness."

Spannaus presents some of the salient facts facing the state's lawmakers: "Virginia already has one of the highest incarceration and lowest probation rates of any state in the region. And, since the re-imposition of the death penalty in 1976, Virginia has executed more people—22—than all but two other states."

Despite this record, Spannaus says, violent crime in Virginia is still on the rise. Virginia's corrections policy is "the most expensive possible . . . and it doesn't stop crime," she charges.

Spannaus presents in detail three elements to a "competent" corrections policy: 1) Every individual—offenders included—must be treated with the respect due to having been created by God; 2) the corrections system must be oriented toward protecting society, not only by removing dangerous people from being able to hurt others, but also by using their incarceration period for effective rehabilitation; and 3) we must realize that the crime problem we face today, with nearly one-third of new prison admissions for drug-related offenses, is the result of our failed economic policy.

A poignant commentary in the Dec. 19 *Washington Post* by Evans Hopkins, a prisoner at Nottoway Correctional Center in Burkeville, Virginia, titled "From the Other Side of the Iron Bars, the Case for Parole," also stresses the importance of what Spannaus addresses. "Where do we begin to foster an anti-crime policy that does not rely so heavily upon incarceration?" he asks. "We might begin with an idea that I take to heart as I face my own parole review next year: the idea that, while society is justified in seeking vengeance against lawbreakers, man is made in the image of God and, as such, can be redeemed. While recidivism is a serious problem, it should be noted that 60% of inmates in Virginia, once released, never come back."

Virginia has the opportunity to lead the nation in crafting a humane and competent criminal justice policy.