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Alyson Clements: Legislative actions speak louder than studies

Our state's prisons have been overcrowded for almost a decade now, and it is time for legislators to act. House members had a chance to take action when they killed a bill that would have eased overcrowding by providing treatment and release for nonviolent drug addicts. Instead, they told us to wait for the results of a study by the Council of State Governments.

Another study. In the last three years, we've had four of them. There was the January 2009 West Virginia Law Institute report, "Recommendations for Criminal Sentencing Reform in West Virginia"; the June 2009 study of prison overcrowding commissioned by then-Gov. Manchin; the 2011 interim hearing from the Division of Corrections, West Virginia Supreme Court, county drug court judges, and community nonprofits; and the 2012 report from the West Virginia Center on Budget & Policy.

All pointed toward the same common-sense solutions, such as taking a public health approach to substance abuse and mental illness, changing the way we sentence nonviolent offenders, expanding probation and parole, and using risk assessments in sentencing.

We have had experts tell us what needs to be done. This session, we needed our legislators to put all of this research to use. We needed them to act on the omnibus reform bill that would have enacted measures recommended by all of these studies of our justice system.

The West Virginia Senate should be commended for its leadership in moving the interim omnibus reform bill through the chamber. With such action, the senators displayed their dedication to addressing community needs through investments in West Virginia's richest resource: its citizens. Unfortunately, we can't say the same for the House of Delegates, where after passing easily through committees, the bill failed to receive a floor vote.

The issue of overcrowded prisons is real for many West Virginians. It is real for those of us who have watched substance abuse rise in our communities. It is real for those of us who have watched more of our family, friends, and neighbors sent to prisons and jails. It is real for those of us who watch more of our dollars spent on prisons instead of schools. Our legislators must cease to turn a blind eye to the growing problem and acknowledge they are a necessary part of the solution.

The question is no longer how to resolve the prison overcrowding issues, but how to demand leadership from our elected officials. We know what to do: We have had studies spell out the smart and necessary reforms. Judges, legislators, community leaders, and broad constituencies have all come out in support of such measures. Similar reforms have decreased crime rates, increased public safety, and saved taxpayers money in Texas, Kentucky and Ohio. The question is now when are our legislators going to commit to putting public safety first and saving taxpayers money by reforming our justice system.

Clements is the communications and government relations associate for the American Civil Liberties Union of West Virginia.

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