

HOPE: A LIFE-ALTERING NECESSITY

by Dirk Greineder, for Lifer's Group Inc., May 2025
MCI-Norfolk, POBox 43, Norfolk, MA 02056
available at www.realcostofprisons.org/writing

On January 11, 2024, the Massachusetts Supreme Judicial Court (SJC) ruled, in Commonwealth v Mattis, 493 Mass. 216 (2024), that imposing Life Without Parole (LWOP) sentences on offenders aged 18 through 20 at the time of the crime was unconstitutional under Article 26 of the Massachusetts Declaration of Rights and the Eighth Amendment. Surprisingly, this decision has become a life-altering event for most state prisoners throughout the Commonwealth, provoking a stunning transformation in attitudes. Almost overnight there has been an upheaval of energy and optimism, not only for the 18-20 year old "emerging adults" that Mattis primarily addresses, but for most prisoners regardless of sentence. How is this possible?

To begin to understand this it is essential to recognize the structure of the Massachusetts (MA) state prisoner population. For many years MA has had the oldest prisoners and also the highest percentage of prisoners serving Life Without Parole (LWOP) sentences in the USA¹, in part because for 75 years MA has imposed mandatory LWOP sentences on all offenders convicted of first degree murder, whether they personally have killed or even intended to kill². By January 2024, 19% or almost one in five of all MA state prisoners were serving that harsh and unrelenting sentence.

The consequences are most striking here at MCI-Norfolk, the largest state prison in MA, which, as of January 2024, housed 39% of all MA LWOP prisoners, making up 35% of the Norfolk population. Moreover, three quarters of Norfolk LWOP prisoners had already served 15+ years and a staggering 46% had served 25+ years. Even though only a bit more than 100 prisoners at Norfolk were "Mattis beneficiaries" (i.e. aged between 18-20 at the time of their crime) amounting to only 10% of all prisoners and one quarter of LWOP prisoners at Norfolk, the impact was profound.

A likely important factor was that the Mattis prisoners serving their long sentences together with all others inevitably became friends, close associates, and ingrained members of the Norfolk prisoner population. Facing endless incarceration with no hope of release, they had no choice but to seek an existence within the prison. And, in part because Norfolk was conceived and structured, 100 years ago, as a 'community' prison, meant to offer

opportunities for education and self-help communal programs to promote rehabilitation (only vestiges of which persist today under present domineering administrative attitudes and regulations), it was natural for many of these once young "forever-lifers" to become integrally interwoven into Norfolk daily life. Many of these long-serving Mattis beneficiaries were well-known, often leaders, and important members of the virtual families formed by long-incarcerated Norfolk prisoners.

It was perhaps inevitable that the many left behind, having together shared the suffering of this harshest of sentences³ for 50, or 40, or 30 years of incarceration without any hope, now unexpectedly witnessing their former partners eagerly moving towards parole and likely release, would themselves feel a spark of hope. After all, the Mattis beneficiaries, incarcerated at the youngest ages, had faced the longest sentences of all and were now suddenly being reprieved. So, now, possibly... perhaps... maybe... should not anyone begin to imagine? The spark blossomed into a bright flame, invigorating all but the most depressed or repressed lifers. If after all this time unanticipated recourse could be found, was it not possible that anyone should be allowed to... well: HOPE.

What is hope? Hope is difficult to pin down, capture or define. The concept has been weighed and dissected by optimists, rejected by pessimists, contemplated by philosophers, studied by investigators, but yet remains difficult to know or trust or grasp. But all seem to acknowledge it as a powerful force and while difficult to articulate, it empowers, and once glimpsed, seems impossible to deny. Hard to rationally define, yet like love, impossible to resist.

Surging almost immediately after the Mattis decision, prisoners serving all sentences began to seek their own pathways to better futures. Even before the decision, during the more than four year period that the Mattis appeal was percolating through the courts, prisoners began to anticipate--and once the decision was rendered, the hoped for became real and interest in participating in "rehabilitation" began to permeate the institution. Restorative Justice programs, considered desirable by legislators and parole boards, are filled over capacity. Prisoners are seeking out and filling up programs on ending violence, emotional awareness, trauma-repair, self-evaluation, substance abuse, legal recourse, academic and vocational education, leadership, entrepreneurship, and more. Once staid Self-Improvement Groups became both

sought out (for guidance) but experienced serious competition for time as prisoners flocked to more parole-acknowledged programs. And, as Lifers are invigorated, the younger, shorter-sentenced prisoners coming into the prison also have followed. All of a sudden, the rehabilitation that the Department of Correction had long needed to force upon prisoners is now in demand. Even not especially popular programs are sought out as long as it is perceived that outside evaluators consider them effective.

Remarkably, the Mattis decision has had a more profound effect on prisoners and prison life than decades of Departmental planning, demanding, insisting, or cajoling, offering strong proof that without hope rehabilitation will be slowed or ineffective. But with hope everything becomes possible and achievable.

ENDNOTES

1. See McKillop M & Boucher A. "Aging Prisoner Populations Drive Up Costs" (Pew Charitable Trusts, Washington, DC, Feb 2018); Nellis A & Barry C. "A Matter of Life: The Scope and Impact of Life and Long Term Imprisonment in the United States" (The Sentencing Project, Washington, DC, 2025).
2. In 1951, the MA legislature rewrote M.G.L.c. 265 §2 abolishing parole for first degree murder. Additionally, Felony Murder and Joint Venture statutes have convicted co-conspirators, even those without any intent or participation in a death occurring during another crime to be convicted of first degree murder and suffer the consequences of mandatory LWOP sentences (see M.G.L.c. 265 §1, c. 274 §1 & 2; Com v Brown, 477 Mass. 805 (2017)).
3. Many prisoners and criminologists are agreed that LWOP is an even harsher sentence than the death penalty because it is simply a delayed death penalty, which subjects the offender to a lifetime of deprivation, permeated with fear of a slow, lingering, often agonizing death in prisons ill-equipped to care for ailing and handicapped elderly prisoners. It also deprives LWOP prisoners of the robust legal safeguards and assistance afforded those facing the death penalty, none of which are available for LWOP prisoners.



The Lifer's Group acknowledges and thanks Lois Ahrens, Exec. Dir. of The Real Cost of Prisons Project for enduring support of prisoners and prison reform.

All Lifer's Group Inc. reports may be freely quoted or copied provided their source is appropriately cited and are available at www.realcostofprisons.org/writing