



Brad Holland

Alternatives to Prison

By John D. Ehrlichman
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AT MY sentencing in the Watergate case, my attorney, Ira Lowe, asked not for leniency but that I be sentenced to perform a carefully supervised term of public service as an alternative to imprisonment, to comport with the Hasidic command of a good deed for a bad.

However, the presentation to Judge John J. Sirica was as much an appeal for general public debate of a vital issue as it was a plea on my behalf.

I am therefore pleased to re-emphasize some of the points pressed by Mr. Lowe and others who have for many years sought alternatives to meaningless and often self-defeating imprisonment.

The issue is whether incarcerating the body of a person is better than a sentence requiring that person to spend a like term of months or years in service to other people.

It is past time for this question to be loudly asked. There are thousands of men and women in jails who are no threat to public safety; most have abilities and talents that could be put to good use. Once jailed they have little effective way to say that they could and would engage in constructive repentance if given the chance.

And most people who have not been through the corrections process have no reason to give the subject much thought. We tend not to "fix the roof if the sun is shining."

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THOSE WHO do think about the prison system generally see the answer clearly. Ameri-

ca's prisons do very little for society and less for the prisoners. Our prisons may rightly be characterized as warehouses. There is some 15 per cent of the prison population that presents a physical danger to society and must be incarcerated while we devote greater attention to this problem. Other than that, however, our prisons serve no useful purpose.

Perhaps most costly and meaningless — and even arguably criminal in light of the severe need for skilled manpower to provide needed public services — is the sheer waste of talented human beings.

Columnist and author Tom Wicker has noted: "Alternatives to imprisonment are common outside the United States . . . Most center on providing useful training and work for the offender or keeping him in his own job if he has one while making him provide for his own dependents as well as repay anyone he may have victimized . . ."

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SOME COURTS in the United States have taken up the challenge. A Federal judge in Phoenix recently deferred sentences for four men involved in a dairy price-fixing scheme on condition that they work on programs to feed the poor.

Also in Arizona a doctor, convicted of Federal and state narcotics violations, is serving his sentence as the only doctor in the town of Tombstone, with his nonpaying clientele of 4000 residents being surrogate "probation officers."

As Mr. Lowe observed, the doctor "is not costing the taxpayers a peso, he is not rehabilitating himself by staring at the

walls or writing letters to his lawyer trying to get out, and his family is not adrift to suffer."

The Pueblo Indian Council had written to Judge Sirica requesting my services. It is ironic that this has been precluded by the publicity that resulted from the raising of the question in open court. I am satisfied, however, because the larger question of alternative service and sentences has been noticed and thought about.

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I AM personally seeking to find some purpose in this whole Watergate legal process. The Watergate story is being told, written, rewritten and revised in a torrent of words. But rather than mere words, reform and regret are subjects for action now and public service seems to me to be the action that is called for.

Public service sentencing is not my idea. But I associate myself with it because it is a sensible idea whose time is past due. It is not enough for only defendants and prisoners and judges and prison officials to discuss these alternatives among themselves.

Enlightened legislators and other officials can now give thought, imagination, and initiative to fundamental reforms and take the required action. But widespread public concern and awareness of the problem and the possibilities are indispensable.

John D. Ehrlichman, who was Richard M. Nixon's chief adviser for domestic affairs, was sentenced by Judge Sirica to two and a half to eight years for his role in the Watergate cover-up.