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Correcting Corrections: Departed IDOC Commissioner Crusades For Sentencing Reforms

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By Jeff Neumeyer
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FORT WAYNE, IN (Indiana's NewsCenter) - Continuing our week-long special report, "Correcting Corrections", we talk to the man who knows the state prison system the best.

Ed Buss ran the state's prison system from August 2008 through mid-February, and he says Indiana needs dramatic changes to cut down on the prison population.

He's pretty adamant that the status quo won't cut it.

Buss just left for a new job in the state of Florida, but if you listen to his parting words, you'd hear that Indiana must shakeup the way it sentences offenders, or be ready to pay the price.

Edwin Buss/Former IDOC Commissioner: " The sentencing reform package, if it doesn't pass, we are going to have to start building prisons and we're going to have to start building them yesterday."

The 24 years Ed Buss spent working in Indiana's criminal justice system led him to the conclusion that, as far as prisons go, Hoosiers aren't getting the best bang for their buck.

He cited 117 new laws or law enhancements placed on the books the past ten years, with no reductions in sentencing, as a reason why Indiana's prison population presses ahead like a runaway train.

There are two things Buss says state lawmakers need to change course on.

First, he argues Indiana needs misdemeanor theft put in the penal code.

Right now, in Indiana, if you steal \$1.00 or \$99,000.00, you are subject to the same felony charge.

We are the only state in the country to do it that way.

And Buss says Indiana needs graduated sanctions for drug crimes.

Edwin Buss/Former IDOC Commissioner: " Selling 3 grams of cocaine, you get the same Class "A" felony, like you would if you had a truckload of cocaine. You have to graduate the sanctions."

If enacted, such reforms could open decision-makers to criticism about being soft on crime.

Buss counters that other conservative states like Kansas, South Carolina and Texas have already moved away from locking up so many drug offenders, in favor of greater reliance on community-based drug treatment programs.

Buss: " If you get drug treatment on the front end, these people won't commit crimes again. I submit to you that drug treatment is good public safety policy."

Meanwhile, Buss readily admits he supports the controversial idea of prisoners held for at least 25 years automatically being eligible for a parole review, even if they committed the most heinous of crimes.

Buss: " It won't release anybody early, but it will at least allow these people to get a hearing, so there's some avenue so they could get out. Otherwise, they're just going to die in prison."

Of course, some might argue they should die in prison, if the crime or crimes committed were serious enough.

Buss counters that most of those offenders, after 25 years, are older, and may not be a threat to public safety anymore.

He says they deserve a review, especially since a parole board would not be obligated to grant an early release.