

Comment: From opposite ends of crime, a plea for justice reform

A survivor of crime and an incarcerated support a bill to forge better outcomes for both communities.

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By **Charles Longshore and Annie Nichol** / *For The Herald*

Justice is often framed as a simple equation: Crime demands punishment, harm demands retribution.

As two people who have stood on opposite ends of the justice system — one as a survivor of a violent crime, one as someone currently incarcerated — we know that framing punishment as safety is both dangerous and dishonest. While we watch America enter an era of unprecedented mass detention, it has never been more important to reexamine our current system of punitive justice, to recognize how it fails victims as well as those who have done harm, and traps everyone in cycles of trauma with no path toward healing or meaningful safety.

We are both supporters of the [Judicial Discretion Act](#), a bill up for consideration in the Washington state Legislature. Washington currently offers no pathway for people serving excessive sentences — even for laws that no longer exist — to seek relief. The JDA would correct this by allowing judges to revisit sentences when someone has demonstrated extensive rehabilitation, offering something our system rarely allows: hope.

When you've lost someone to violence, most victims are told that the value of their loved one's life can be measured in a prison sentence. But once that sentence is handed down, the system disappears; offering no support and no way forward for the individuals and families left emotionally and financially destabilized after a life-altering trauma.

At the same time, most incarcerated people are victims themselves who have endured abuse, neglect and unimaginable circumstances without any help. Once imprisoned, the cycle continues. They are locked away and forgotten, given no opportunity to heal from their own trauma or to atone for the harm they've caused. The system traps people in the very cycles of harm it claims to prevent; but it doesn't have to.

Despite our different circumstances, we have found that our needs — or accountability, dignity, and the chance to heal — are the same.

Here are our stories:

The lie of punishment as justice (Annie Nichol): Oct. 1, 1993, shattered my world forever. At just 12 years old, my sister Polly Klaas was kidnapped from our bedroom and murdered. For two months, we searched for her while a media frenzy turned our case into national news. The grief and horror we felt became the grief and horror of an entire country. But even before we learned what had happened to Polly, lawmakers were already using our tragedy to push for harsh sentencing laws that had once been politically unthinkable.

These legislators assured us that mandatory minimums and decades-long prison sentences would bring us safety, that locking people away for life without parole would prevent others from suffering as we had. But we were misled. Instead of making communities safer, these laws disproportionately punished marginalized communities, sending people who desperately needed help to prison for decades.

Instead of justice, they used my sister's life to expand mass incarceration, leaving survivors like my family with nothing but empty promises and a system that prioritized punishment over healing. Instead of healing, prosecutors promised us the finality of truth in sentencing. This, too, turned out to be a lie when law enforcement refused to return our childhood belongings — the books and toys we shared, and tape recordings we made together — all of our childhood memories, which continue to be held as evidence should the case ever need to be reopened. To this day I don't have a single item that belonged to my sister. I cannot remember the sound of her voice because it is trapped in a police vault where I will never hear it.

For much of my life, I knew that the laws passed in Polly's name were not justice, but I struggled to imagine what justice could look like. I know now that justice cannot simply be about waiting for harm to occur and then responding with punishment. True justice means preventing harm before it happens. It means that people in crisis receive help before they reach a

breaking point, that nonviolent intervention preempts incarceration, and that we prioritize healing over retribution. That is the world we should be striving to build, a world where justice is not just a response to harm, but a commitment to preventing it altogether.

A journey from harm to accountability (Charles Longshore): May 28, 2012, was the darkest day of my life. After several days without sleep, lost in meth-induced psychosis, I shot and killed two people over a drug debt. For my crime, I was given two life sentences without parole, a sentence I initially believed I deserved. At the time, I saw myself as a monster, someone beyond redemption.

In the beginning, I was unable to face the devastation I had caused. Shame consumed me, and without anyone to help me process my pain, I fell into an even deeper darkness. At my lowest point, while being held indefinitely in solitary confinement, I attempted suicide. I was trapped, both physically and emotionally, unable to see a future beyond my guilt.

In spite of my pain and isolation, I found the resolve to create a life of meaning. I enrolled in school and completed every program available to me in prison. I began to see that I could be more than the worst thing I had done; that even within prison walls, I could work to support and rebuild my community. Native people like me are over-represented in every prison in Washington state, and I wanted to disrupt the generational trauma that kept so many people in my community trapped in cycles of victimization and incarceration. I, too, was a survivor of violence and abuse, and I wanted to help others take a different path.

In 2019, I was given the opportunity for resentencing. In court, I stood before the surviving family members of those whose lives I had taken and, for the first time, I fully confessed. I apologized directly to them. I will never forget the moment when one family member stood up, having finally received closure, and said, "I forgive you."

I fell to my knees and wept, and found myself embraced by the very person who had forgiven me. The judge, who had once sentenced me to life, was witness to my transformation and accepted a revised sentence of 35.8 years. "You have changed," she told me. "You are not the same person."

A path toward repair: Contrary to what many prosecutors claim, most victims do not want harsher punishment. A 2024 national survey by the Alliance for Safety and Justice found that a majority of victims favor rehabilitation over punishment by a 2-to-1 margin. These views span race, age, gender and political affiliation, sending a clear message: what most survivors want is not vengeance, but healing and real safety.

The Judicial Discretion Act offers a practical and humane path forward. It invests in victims services currently in jeopardy, while offering a judicial pathway for individuals who have worked to earn a second chance. It doesn't

guarantee release. It doesn't erase harm. But it recognizes that transformation is possible and gives survivors a chance to be heard in a system that too often speaks for them.

Survivors deserve more than a system that punishes on their behalf; they deserve a system that listens, heals and prevents future harm. The Judicial Discretion Act honors that vision. Lawmakers should pass it.

Charles Longshore is a legal adviser and community organizer. He is incarcerated in a Washington state Department of Corrections facility near Olympia. Annie Nichol works with [Crime Survivors Speak](#), a network of crime survivors advocating for criminal justice reform policies and healing communities.

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