



Crime & Punishment

James Alan Fox on criminal behavior and the justice system

Odgren at Bridgewater - thankfully

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The debate reflected in the hundreds of comments posted to my recent blog entries about John Odgren has been lively and often heated. The majority embraced the first-degree murder verdict returned by the jury last week and the resulting life sentence without parole eligibility. However, many folks raised concerns publicly on the blog (or privately through e-mail) about Odgren's future, expressing worry about his fate and survival within the correctional system.

I am encouraged to report on the latest developments. John Odgren was evaluated immediately upon intake at MCI Cedar Junction by Department of Correction medical staff. Based on the assessment, and presumably the prisoner's long-standing history of mental disorder, a so-called "18(a) petition"--in accordance with Massachusetts G.L. Chapter. 123, Section. 18(a)--was successfully filed on his behalf, facilitating his transfer to Bridgewater state hospital. Odgren will remain at Bridgewater for 30 days for the purpose of further evaluation. He may then be committed for treatment for a series of additional terms until he is considered well enough to be transferred to a correctional facility.

Regardless of where he serves his time--at Bridgewater or elsewhere, Odgren shall remain under the care and custody of the Department of Correction for life. At present, he is not eligible for parole release, but that could change through any of the following outcomes:

1. The U.S. Supreme Court rules that juvenile life without parole is unconstitutional in two pending cases out of Florida
2. An appellate justice, pursuant to Massachusetts Criminal Procedure Rule 25(b)(2), reduces the murder conviction from 1st degree to 2nd degree (as was done by Judge Hiller B Zobel's in the Louise Woodward, "shaken baby" case)
3. The Massachusetts Supreme Judicial Court alters the conviction through its automatic review of all first-degree murder verdicts

4. At some later date, the sentence is commuted down to life with parole eligibility by way of executive order

Despite the sharply divided views on this case, it is clear that no one--including me--wishes to see John Odgren released from custody, at least for a long time. Whether he deserves a second chance when and if he is considered no longer a threat to society will most likely remain a matter of continued debate.