

THE HUFFINGTON POST

Conservative and Liberals Join Together for Criminal Justice Reforms

April 16, 2015

By Pat Nolan

For many years, crime was a divisive issue, with bitter partisan battles featured in elections for decades. Now, however, the politics of crime has changed dramatically. Increasingly, left and right are joining together to press for fundamental reforms in our criminal-justice system. This unity of purpose was clearly evident at the recent Bipartisan Summit on Criminal Justice Reform in Washington, D.C.

More than 600 leaders from across the political spectrum gathered to hear what is working in criminal law, and to develop a broad alliance to press to implement these successful policies. The remarkable coalition forming around these issues was clear from the start with the ACLU and Koch Industries sponsoring the conference. I was honored to join with Van Jones, Newt Gingrich, and Donna Brazile as a host of the Summit.

The genesis of conservative support for reforms was former Watergate inmate Chuck Colson. After his release from prison, Colson dedicated his life to restoring hope to prisoners and their families, and working to reform the system. He told conservatives that the justice system was badly out of balance, and that it was important that conservatives hold the justice system accountable. He was a lonely voice at the time. However, the movement gained momentum as he won allies among the religious right and political conservatives, who joined him in demanding change.

As the number of laws increased and the prison population soared, conservatives chafed at the waste of human potential and increasing cost of the prison bureaucracy. They were frustrated that so little was being done to prepare inmates for their release, and they were appalled at the overcrowded conditions, violence and rape, and the lack of medical care, drug treatment and mental-health services. Conservatives joined with liberals in backing such important reforms as the Prison Rape Elimination Act, the Second Chance Act and the Fair Sentencing Act.

Support for these reforms came from religious conservatives such as the Southern Baptists, National Association of Evangelicals and the Family Research Council. They were joined by political conservatives such as Ed Meese, Newt Gingrich, and Grover Norquist. The endorsement of the reforms by these national conservative leaders encouraged Republican legislators to vote for the reforms, and it gave political "cover" to Democrats leery of being labeled soft on crime. As a result, the reform bills passed with strong bipartisan majorities.

At the state level, similar alliances were making major changes in the criminal-justice system. Texas eliminated plans to build three new prisons, putting much of the savings into community drug courts and mental-health treatment. The number of inmates has been cut by 3% -- enough to close an additional three existing prisons. At the same time, crime is at the lowest level since 1968. The state has saved \$3 billion so far. Governor Perry told the Conservative Political Action Conference that, "Being able to give people a second chance is really important. That should be our goal. The idea that we lock people up, throw them away, never give them a chance at redemption is not what America is about."

South Carolina followed Texas' example, toughening penalties for violent criminals while creating alternatives to incarceration for nonviolent offenders. They provide community drug treatment and mental-health services for lower-level lawbreakers -- mostly drug and property offenders -- who had been 50% of the prisoners prior to the reforms. Now, the total number of prisoners has dropped by 8%, and the vast majority (63%) of the inmates are violent offenders, not petty criminals. South Carolina's recidivism rate has dropped, and they have been able to close an entire prison because of the declining number of inmates.

Success begets success, and Ohio, Georgia, Oklahoma, Kentucky, Missouri, Pennsylvania, Mississippi and most recently Utah have adopted similar reforms with overwhelming bipartisan support. The success of the state reforms shows the way for Congress to reform the federal criminal-justice system. And the political cooperation of left and right that characterized the state efforts is the right formula to pass reforms through Congress. The Summit was a big step forward in this effort. As I told the attendees, we have moved from ad hoc alliances formed to support individual reform bills to a broad bipartisan coalition supporting comprehensive reform of the system.

The fact that the reforms were initiated and tested in the states is a plus for conservatives who prefer that new policies be developed and tested in the states. Because we have proof that these reforms work, the debate has shifted from an ideological discussion to one based on solid evidence that they work. And the conservative support for these reforms is very strong.

In Congress, an impressive group of conservatives are supporting fundamental reforms. Senators Cornyn, Portman, Lee, Cruz, Flake, Rubio and Paul have taken the lead on federal reforms in the Senate. And in the House, such conservative stalwarts as Representatives Sensenbrenner, Goodlatte, Chaffetz, Labrador and Gowdy are pressing the reform agenda.

The American Conservative Union Foundation, Right on Crime, the Heritage Foundation, the Faith and Freedom Coalition, the Institute for Justice, the Family Research Council, and the Cato Institute are playing major roles in the conservative movement for reforms. They are working hand in hand with the many liberal groups and legislators who share the goal of limiting the damage of our criminal justice system to families and communities. The alliance of people from across the political spectrum is the recipe that has worked in the states and brings great hope that fundamental reforms will be passed by Congress this year.