

BuzzFeed

Conservative Criminal Justice Advocates Try To Change The System — Even In The Trump Era

Emma Loop

February 24, 2017

Attendees at the Conservative Political Action Conference — an annual gathering of conservative activists and politicians — were greeted this year, as in years past, by advocates pushing for looser sentencing laws and reducing mass incarceration.

Groups, like the American Conservative Union Foundation, an arm of the ACU, which hosts CPAC, hope to convince more people on the political right to embrace the cause as a conservative one by leveraging their recent successes at the state level and reminding lawmakers that it's an issue with support from multiple conservative groups.

“I do feel that letting politicians know that we are large in numbers and we do support this, and we are present at all of these events, we're not going to go away; it's something that's important and it's [...] a part of the conservative movement,” says Christina Delgado, a spokesperson for the conservative group FreedomWorks.

The criminal justice reform effort is nothing new in Washington. At the federal level, a bipartisan group of senators has been trying for years to pass legislation to reduce mandatory minimum sentences for non-violent offenders and boost programs to help offenders reintegrate into society.

But some, especially members of the Republican conference in Congress, have expressed concerns over whether reforms — which aim to reduce mass incarceration, rising prison costs, and recidivism rates — represent a soft-on-crime approach to the criminal justice system that could jeopardize public safety.

“You do have people that have a bit more of a reactionary tough-on-crime approach that have come up to the booth and talked to us about it,” says Derek Cohen, deputy director of Texas-based Right on Crime, which is also attending CPAC. “But once you start talking to them about, you know, the practicalities of running a criminal justice system, they actually get it very quickly.”

“It's about, you know, preaching to both the converted and unconverted, I'd say.”

Delgado says the issue came up in questions during a Thursday event hosted by FreedomWorks that featured Kentucky Gov. Matt Bevin, a Republican who recently signed an order to try to help ex-offenders land jobs after their sentence is up.

Delgado says Bevin noted “it’s not about going softer on crime, it’s about just making sure that we’re addressing the more important aspects of crime, and that is the actual danger, the actual criminals, the actual problem.”

Cohen says different types of conservatives — social, fiscal, libertarian — “all have their own reasons for actually being interested in the reform campaign.” For many libertarians, it’s issues such as civil asset forfeiture that make the case for criminal justice reform. For fiscal conservatives, it’s about cutting rising corrections costs.

“They come to the same place through different means, and this is kind of a place where we can articulate that,” Cohen said.

The movement brings together a broad range of conservative groups, such as the American Conservative Union Federation (which hosts CPAC), the Charles Koch Institute, and the Cato Institute, he said.

“We’re not going to see Right on Crime and the Cato Institute coming down in the same place on every issue, that’s for sure,” Cohen said, laughing.

Hammering the point home to the undecided or opponents of reform, the advocacy groups say, means pointing to red states that have passed criminal justice reform legislation and including law enforcement voices in the dialogue.

To that end, the American Conservative Union Foundation moderated two panels at CPAC on Friday: “Prosecutors Gone Wild,” which included arguments for *mens rea* requirements in federal offenses, and “Conservatives Leading the Way on Criminal Justice Reform in State Capitals,” featuring Louisiana State Rep. Julie Emerson, who co-authored a bill similar to Bevin’s “ban the box” order in Kentucky.

But even with progress happening in Republican-leaning states, it remains to be seen where exactly the new Trump administration will fall on specific federal criminal justice issues. Trump said he wanted to “bring back law and order” during the election campaign, but has not detailed what that will mean.

Though not all are convinced Trump will be swayed by the arguments for criminal justice reform — his attorney general, Jeff Sessions, was a vocal opponent during his time in the Senate — pro-reform groups are hoping state successes appeal to Trump.

“As President Trump considers how best to reduce crime and restore public safety, we hope that he can learn from reform champions in states like Oklahoma, Louisiana and Kentucky to chart a new path for America,” Steve Hawkins, president of the Coalition for Public Safety — another CPAC attendee — said in a statement to BuzzFeed News.

Cohen says Right on Crime, which has attended the last five CPACs, has met with members of Congress recently, and that “there seems to be renewed energy” in passing reform legislation. Judiciary Committee members Sens. Dick Durbin and Chuck Grassley have said they plan on re-introducing the bill in the current sessions of Congress.

“Now, what shape that reform’s going to be in, I think is a bit premature to say,” Cohen said, “but there definitely is the same appetite if not a greater one.”