

The Sentencing Project

Criminal Justice Issues and Prisoners' Rights

<https://www.sentencingproject.org/publications/to-build-a-better-criminal-justice-system-25-experts-envision-the-next-25-years-of-reform/>

Campaign and Advocacy

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Secondly, and more importantly, we used the occasion to envision what our criminal justice system and our approach to public safety should look like 25 years into the future, in the year 2036. We did so because we believe there is a moment of opportunity now, and therefore it is timely to think broadly about directions for constructive reform.

In order to envision where we might go over 25 years, it is helpful to assess where we have come from in the last 25 years. In this regard, there are two very different stories we might tell.

The first is one of a policy climate in which punishment has been exalted in ways unimaginable not very long ago. The number of people in our prisons and jails has nearly tripled during this time, a half million people are incarcerated for a drug offense, and racial/ethnic disparities within the justice system are profound. Increasingly, we are gaining new insight into the varied ways in which high rates of incarceration in disadvantaged communities affect family formation, social cohesion, and life prospects.

The other story of the past 25 years is a more hopeful one. That analysis focuses on the steep drop in crime in recent years, the broad acceptance of the need for reentry programming, and increasing support for the concept of justice reinvestment. We also appear to be at a point where prison introduction populations are finally stabilizing (albeit at world record levels) after several decades, and are even declining substantially in a handful of states.

Both of these views are factually correct, which suggests that it is up to us to determine in which direction criminal justice policy will proceed over the next quarter century. Both for reasons of effectiveness and compassion, we hope that the nation will adopt the strategy that emphasizes opportunity rather than punishment as the guiding theme of our vision for public safety.

This volume aims to provoke a conversation about what that vision looks like and how we can begin to put it into practice. The collection begins with the text of Jeremy Travis's keynote speech at the 25th anniversary event. In this far-reaching overview of where we should go and how we might get there, Travis asks us to summon the superheroes of science and passion to guide our way forward. As he describes it, we call on science in our quest for empirical truth and passion for the human impulse to seek justice. Within this framework Travis lays out a scenario under which we can achieve five significant goals: help victims restore their lives, pursue a scientific crime prevention agenda, develop professional standards for the justice system, rethink the role of the criminal sanction, and fundamentally reconsider the level of imprisonment, which is a stain on our national conscience.

The 25 essays which follow are broad-ranging both in vision and strategy. They contain the perspectives of leading thinkers in the field, including academics, practitioners, and policy advocates. All the contributors look to a day where public safety is not premised on maintaining a world-record level of incarceration. But there is a diversity of views on how we might get to that point.

One author, for example, presents a compelling argument for how fiscal imperatives can focus policymaker attention on evidence-based approaches to reducing institutional populations. But another author makes an equally compelling argument for why a reliance on fiscal arguments has little basis for success absent a shift in the political environment in which these issues are addressed.

A number of authors promote various public education strategies designed to encourage a more rational public debate on criminal justice. These include assessments about the potential leadership roles to be played by policymakers, practitioners, leaders in disadvantaged communities, and individuals who have been through the criminal justice system.

Equally significant are ideas on the means by which to convey convincing and comprehensive messages about the need for reform. Some

contributors stress disseminating information about the success stories of recent years and the opportunity to engage in ongoing research to identify strategies for change. Others promote consideration of such critical issues as the strategic role of race in addressing criminal justice policy, the need to focus on issues specific to women, and how to frame juvenile justice policy under a rubric of a my child test that promotes compassionate and effective treatment for all.

Intriguing ideas are also presented on the broad framework by which we consider issues of public safety. For far too long, that discussion has focused on criminal justice initiatives, and enhanced incarceration in particular, as the primary means of addressing public safety issues. But as many of our contributors point out, that framework is seriously flawed, and downplays the many ways by which social cohesion can be encouraged.

One contributor, for example, proposes that we transform the criminal justice system by creating partnerships with the public health community to focus on prevention. Another suggests that it is critical to adopt a human rights framework for justice reform so that we establish a different standard for measuring progress. Others call for a wholesale reconsideration of national drug policy in order to reverse the harmful impacts of recent decades. And we also hear from commentators abroad who assess the role of the United States in comparison to, and as influential, in developments in other nations.

Our reasoning in putting together this collection of disparate voices is that developing and implementing a strategy for transforming the criminal justice system is a complex process. Just as the social and political forces that produced mass incarceration have been varied, so too will be the strategies necessary to begin moving in a different direction. In recent years we have seen encouraging developments in policy and practice that hold the potential to create a shift both in the political environment in which public safety is addressed and in day-to-day outcomes. At the same time, we also recognize the still relatively modest scope of these changes, given the scale of the problem to be addressed. It is our hope that by contributing to public discussion about ways to build on these changes, we can help to broaden the conversation about crime and justice, and thereby envision a significantly transformed justice system 25 years from now.

To read the collection of essays, download the PDF below.

Increase in U.S. jail & prison population in the last 40 years

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