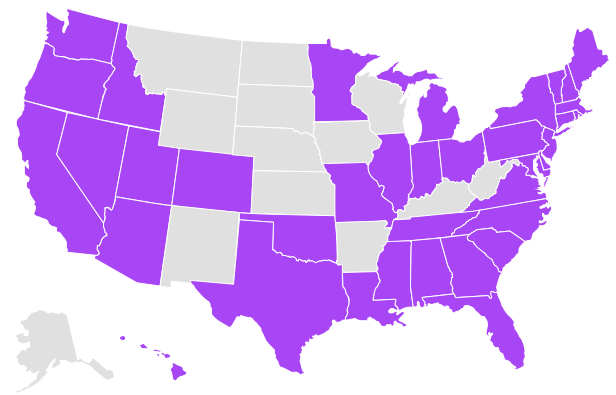


Recent Wins on Justice *Show Reform is Here to Stay*

Over the last two decades, policymakers and voters in red, blue, and purple jurisdictions have made meaningful strides to address mass incarceration by adopting a wide range of criminal justice reforms. Bipartisan support for reducing the number of people in jail and prison has been fueled by a robust body of research built over decades that has proven that jail stays and long prison sentences do not reduce crime rates. In fact, over the past decade, **37 states have reduced both crime and imprisonment**,¹ and crime fell faster in these states than in states that increased imprisonment. Today, the overall crime rate has fallen 18 years in a row to its lowest point in thirty years,² **the number of people in prison is at its lowest point in two decades**,³ and the reforms that brought us here have expanded freedom and opportunities to tens of millions of Americans.



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These advances of the criminal justice reform movement have meaningfully—and somewhat intractably—shifted Americans' baseline understanding of the harms of mass incarceration and the need to reform the criminal justice system. Today, almost three-quarters of Americans support reforming the nation's criminal justice system.⁴ Fewer people than ever recorded in the past 30 years call for a “tougher” criminal justice system⁵ and a record-low 14% of people report confidence in the system.⁶ Nearly nine-in-ten Black Americans believe the criminal justice system needs large-scale changes for Black people to be treated fairly.⁷ Voters of all kinds, including victims of crime, are also clear in their support for community-based alternatives to incarceration. Nearly eight out of ten voters support federal investments that increase community-based violence prevention workers to help prevent young people from getting involved in crime.⁸ 70% of victims surveyed preferred holding people that commit crimes accountable through different options beyond prison such as rehabilitation, mental health treatment, drug treatment, or community supervision.⁹

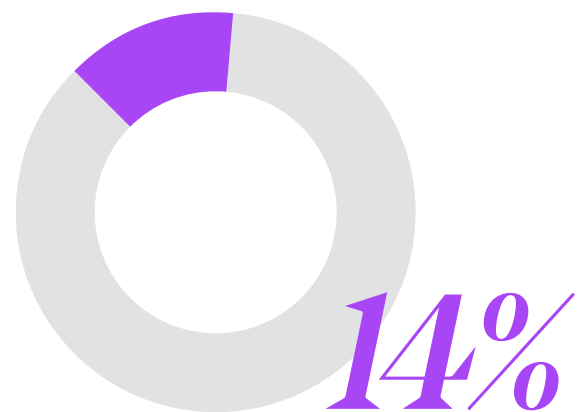
Despite this progress, an entrenched opposition to criminal justice reform continues to push false narratives about crime and incarceration and promote the same failed “tough on crime” policies and rhetoric that led to mass incarceration in the first place. These opponents have opportunistically and predictably seized on recent increases in gun violence to drive media coverage of crime, make voters fearful of reform, and attempt to persuade elected officials that there is waning support for reducing our reliance on incarceration.

However, electoral, legislative and policy victories in support of criminal justice reform across the country tell a different story: that Americans still want more criminal justice reform, not less, and that they know that we can't address the problems of today with the failed policies of the past.

Americans Want Reform



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Reform Winning On The Ballot

Candidates running on criminal justice reform platforms continue to win elections in every region of the country. **In Shelby County Tennessee, voters ousted a famously “tough on crime” official in August 2022–District Attorney Amy Weirich–in favor of her challenger Steve Mulroy who ran on a reform agenda.** Weirich was well-known for her tough approaches including her choice to criminally prosecute a Black woman who was sentenced to six years in prison after attempting to register to vote when she was ineligible. Newly elected DA Steve Mulroy offered voters a clear reformist alternative, promising to start a conviction review unit and to change the county’s cash bail system if elected.¹⁰ Similarly in Contra Costa County, CA, incumbent District Attorney Diana Becton won re-election in June 2022 by vowing to continue her reform efforts, defeating a career prosecutor espousing a “tough-on-crime” philosophy.¹¹ And in Orleans Parish, LA, first-time Sheriff candidate Susan Hutson defeated a 17-year incumbent in December 2021 on a reform platform that pledged to reduce the local jail population among other changes.¹²

Voters have also demonstrated their support for criminal justice reform policies when they are on the ballot. In 2020, Americans in a number of states voted to reform drug laws: voters in **Arizona, Montana, New Jersey and Arizona legalized recreational marijuana use, Mississippi and South Dakota legalized medical marijuana,** and **Oregon voters decriminalized personal drug use and funded substance use treatment.**¹³ In that same year, Nevada residents voted to streamline and simplify the pardon process,¹⁴ and California voters resoundingly rejected a proposition to roll back prior reforms to criminal sentencing policies.¹⁵ Meanwhile, Los Angeles County voters supported a charter amendment allocating 10% of the county’s general fund to community programs and alternatives to incarceration.¹⁶

Reform Passing In Statehouses

Lawmaker and voter appetite for criminal justice reform is perhaps most apparent in the legislative victories that have driven significant reductions in prison and jail populations. **Legislation to shorten prison sentences, expand opportunities for people to participate in earned credit programs to move up their release dates, and invest in alternatives to incarceration continue to pass in statehouses across the country.**

Legislators in Louisiana and Mississippi—both with Republican supermajorities—adopted bills in 2020 and 2021 to expand parole eligibility for people convicted as children¹⁷ and for violent and nonviolent offenses.¹⁸ Just this year, Rhode Island lawmakers legalized recreational marijuana and moved to automatically expunge prior civil or criminal marijuana possession charges.¹⁹ Colorado and California lawmakers also passed legislation in 2022 to reduce the collateral consequences of incarceration by expanding opportunities and pathways to record clearance and sealing for people with prior convictions.²⁰ 2022 also saw the successful completion of a long-term plan with which **Hawaii policymakers brought the number of girls in juvenile detention to zero.**²¹ Defense is sometimes as important as offense; Republican supermajorities in Oklahoma rejected repeated attempts in 2020, 2021, and 2022 to roll back State Question 780, which defelonized drug possession and low-level theft by majority vote in 2016.²²

These state level advances are no surprise given the larger, national shift towards reform. The last two presidential administrations have made public commitments on criminal justice reform from President Trump’s vocal support for the First Step Act to President Biden’s appointment of a former public defender to the Supreme Court. As recently as this October, President Biden pardoned thousands of people convicted of marijuana possession under federal law and called on state governors to do the same.²³

Taken together with public opinion, the sustained electoral and legislative momentum for criminal justice reform demonstrates the dramatic political shift that has occurred over the past two decades. As the devastating consequences of mass incarceration and the ineffectiveness of incarceration at reducing crime become more widely known, the United States has stayed the course on a steady march towards a more fair criminal justice system. The reality is clearer than at any point in the generation: Americans reject mass incarceration and demand safety at the same time.

| *The reform movement is here to stay.*

Endnotes

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