

What Conservatives Are Saying About Criminal Justice Reform

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The Texas Public Policy Foundation is at the forefront of a broader rethinking of criminal justice issues by many advocates of free market-oriented policies. There is an increased recognition that alternatives to prison for nonviolent offenders can both reduce recidivism and costs to taxpayers.

The excerpts below are among the many recent examples of conservative leaders speaking out in favor of criminal justice reform.

“I believe we can take an approach to crime that is both tough and smart. ... [T]here are thousands of non-violent offenders in the system whose future we cannot ignore. Let’s focus more resources on rehabilitating those offenders so we can ultimately spend less money locking them up again.”

Texas Governor Rick Perry, 2007 State of the State Address

“We know from long experience that if [former prisoners] can’t find work, or a home, or help, they are much more likely to commit more crimes and return to prison. ... America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life.”

President George W. Bush, 2004 State of the Union Address

“As a physician, I believe that we ought to be doing drug treatment rather than incarceration”

U.S. Senator Tom Coburn (R-Oklahoma)

“I still embrace the theory of locking the cell door if an offender has been convicted of a crime. But I don’t say throw the key away. I say, keep the key handy, so the same key that locked that door can also unlock it.”

U.S. Congressman Howard Coble (R-North Carolina)

“We should not be resigned to allowing generation after generation to return to prison because they don’t have the tools to break the cycle. I personally favor a number of these faith-based approaches. But if there are other approaches, let’s try them. This is an enormous problem, and since the ’70s, we have basically just said we’ll lock people up.”

U.S. Senator Sam Brownback (R-Kansas)

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“I think mandatory minimum sentences for drug offenders ought to be reviewed. We have to see who has been incarcerated and what has come from it.”

Ed Meese, President Reagan’s Attorney General and Senior Fellow at the Heritage Foundation

“In this whole thing, nobody is being soft on crime. ... The system has a very strong tendency to change them for the worse. Everybody knows that, I think. Our current system is fundamentally immoral.”

U.S. Congressman Chris Cannon (R-Utah)

“What, over the last 30 years, has the “system” produced? An endless temptation to spend money. The image of a system induces us to try to create a fiscal balance between the parts. More police mean more criminals arrested, more arrestees mean more prosecutors and judges to convict, more convicts mean more prisons and more parole and probation offices. But perhaps that idea is wrong. Perhaps instead of spreading resources evenly over a system to process criminals, we need to concentrate them on the agencies that prevent crime. Perhaps, to put it bluntly, we need fewer prisons and far more cops—not cops who will feed the system, but cops who will starve it by helping communities protect themselves.”

George L. Kelling, Scholar at the conservative Manhattan Institute who helped develop Mayor Rudy Giuliani’s criminal justice policies which have dramatically reduced crime and led to the closing of prisons

“Conservatives should support four policies: improved follow-up, better drug treatment, in-prison work programs, and faith-based rehabilitation.”

Eli Lehrer, Visiting Fellow at the Heritage Foundation writing in the National Review

“The biggest problem from the perspective of the taxpayer, however, is that mandatory minimum sentencing policies have proven prohibitively expensive. In 2008, American taxpayers spent over \$5.4 billion on federal prisons, a 925 percent increase since 1982. This explosion in costs is driven by the expanded use of prison sentences for drug crimes and longer sentences required by mandatory minimums. Drug offenders are the largest category of offenders entering federal prisons each year. One-third of all individuals sentenced in federal courts each year are drug offenders. And these convicts are getting long sentences. In 2008, more than two-thirds of all drug offenders received a mandatory minimum sentence, with most receiving a 10-year minimum. ... The benefits, if any, of mandatory minimum sentences do not justify this burden to taxpayers. Illegal drug use rates are relatively stable, not shrinking. It appears that mandatory minimums have become a sort of poor man’s Prohibition: a grossly simplistic and ineffectual government response to a problem that has been around longer than our government itself. Viewed through the skeptical eye I train on all other government programs, I have concluded that mandatory minimum sentencing policies are not worth the high cost to America’s taxpayers.”

Grover Norquist, President of Americans for Tax Reform in testimony before the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security

