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Opinion: Sentencing reform should be a conservative priority

By Pat Nolan
Special to the Mercury News
Posted: 08/06/2011 08:00:00 PM PDT

At long last, California will have to deal with our bulging prisons, where 140,000 inmates are crammed into facilities designed to hold 80,000. The Supreme Court found conditions that are profoundly troubling, and these prison conditions could turn a short sentence for a nonviolent offense into a death sentence because of inadequate medical care.

Certainly our prisons hold many folks who are very dangerous and need to be locked away from society, even for the rest of their lives. However, we also send many low-risk offenders to prison. As a conservative Republican, that makes no sense to me, as it is very costly and can sometimes turn low-level offenders into hardened criminals.

Prisons are for people we are afraid of, but we lock up many people that we are just mad at.

California needs to make better decisions about whom we send to prison and whom we can safely punish under mandatory supervision in the community. We're talking about saving hundreds of millions of dollars without any compromise in public safety.

That is the message of Right on Crime -- a group of conservatives working to reform the criminal justice system. The statement of principles is clear: "Conservatives are known for being tough on crime, but we must also be tough on criminal justice spending. That means demanding more cost-effective approaches that enhance public safety."

Among the signatories are Ed Meese (former U.S. Attorney General), Bill Bennett (former U.S. Secretary of Education), Asa Hutchinson (former federal "drug czar"), Newt Gingrich (former House Speaker), Grover Norquist (Americans for Tax Reform) and Chuck Colson (Prison Fellowship). Several states have shown the reforms advocated by Right on Crime will cut costs while keeping the public safe.

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For instance, in 2005, "tough on crime" Texas faced an overcrowding crisis. It decided against building more prisons and instead opted to expand proven community corrections approaches, such as special drug courts for drug offenders. Texas reduced its prison population and helped to close the state budget gap, and for the first time, there is no waiting list for drug treatment in state prisons. Importantly, Texas' crime rate has fallen 10 percent, the state's lowest rate in nearly 40 years. By pursuing alternatives to the "lock 'em up and throw away the key" paradigm, Texas was able to close an entire prison this year.

South Carolina now reserves costly prison beds for dangerous criminals while punishing low-risk offenders through lower-cost mandatory community supervision. The state is expected to save \$175 million in prison construction this year alone and \$60 million in operating costs over the next several years.

Other states, under both Democratic and Republican governors, enacted similar reforms this year, including Arkansas, Kentucky, Alabama, Louisiana and North Carolina. If leaders in those conservative states can reduce their prison populations, surely it's time for California.

PAT NOLAN, a former Republican Leader of the California Assembly, is a Right on Crime signatory and vice president of Prison Fellowship. He wrote this for this newspaper.

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