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New Report: America needs to reconsider its approach to violent crime to reduce incarceration

The US can safely reduce its prison population by having an informed conversation about violent crime

Washington, DC – As the nation struggles with how to address one of the greatest public policy issues in its history, a report, released today by the [Justice Policy Institute](#) (JPI), takes a new look at the issue of mass incarceration and how America responds to violent crime. The report, *Defining Violence: Reducing Incarceration by Rethinking America’s Approach to Violence*, notes that while there is currently more support than ever for criminal justice reform and efforts to reduce the imprisonment of more than 2 million people across the country, the U.S. will not be able to lower its incarceration rate significantly without changing how the justice system treats violent crimes.

The conversations on the federal and state levels, as well as recent policy reforms, have focused on reducing the incarceration of people convicted of nonviolent offenses. Yet just under half the people in prison have been convicted of a violent crime, and meaningful justice reform must include rethinking how laws, policies, and practices treat these offenses if the nation is to see sustained reductions in incarceration.

Early in the year, federal sentencing reform proposals that had bipartisan support were changed to respond to concerns that, the law changes were not solely focused on people convicted of nonviolent offenses. While Congress hasn’t yet passed a sentencing reform bill this year, the U.S. Sentencing Commission offered an amendment that would redefine how burglary is treated under these guidelines, deleting burglary of a dwelling from the list of offenses under “crimes of violence.” In some states, like Virginia and California, burglary can be treated like a violent crime in some contexts, even if there is no person-to-person contact associated with the crime.

“This is a complicated political and systems reform issues, which many policy makers haven’t even yet begun to grapple with,” said Marc Schindler, Executive Director of the Justice Policy Institute. “There’s no question that

we can safely and meaningfully reduce our prison and jail populations, but to do so we need the courage to come up with a more effective approach to violence prevention, and address how the justice system treats violent offenses.”

“The efforts to effectively reduce our country’s overreliance on incarceration can only be truly impactful if we include violent offenders as part of these reforms. I know from experience running corrections systems, and the research bears this out, that many people convicted of a violent offense are actually less likely to reoffend than some non-violent offenders,” said George Lombardi, Director, Missouri Department of Corrections. “Bottom line, people need to be looked at individually and assessed on their cognitive, emotional, and behavioral changes while incarcerated, not only on the crime they committed, in determining whether they are appropriate for return to the community. We need to be making investments in things we know will work to keep people from a life of crime in the first place, including early childhood education, responding to childhood trauma, and effective community-based mental health services.”

Defining Violence surveys the current debate in state legislatures and Congress on criminal justice reform, noting where justice reform proposals have been mired down in debates over what constitutes a violent crime, how justice systems treat violent crimes, and how these debates have made it challenging to make lasting justice reform possible. *Defining Violence* also connects the debate going on in legislatures to the way offenses are defined by statute, critiques how the system treats behavior is divorced from larger social policy discussions (for example, the wide availability of weapons), and examines the disconnection between the evidence on what works and policy in sentencing, corrections, and criminal justice.

Along with an increasing reliance on public health approaches to violence prevention, there are other bright spots around efforts to reduce the incarceration of people convicted of violent crimes: these include significant reductions in juvenile confinement for violent crimes, reforms spurred on by the Supreme Court around juvenile life without parole that allow people convicted of violent crimes to come home, broader reforms being offered to parole that make decisions less reliant on the offense, and law changes that are chipping away at long prison sentences for violent crimes.

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JPI is a national nonprofit organization dedicated to reducing the use of incarceration and the justice system by promoting fair and effective policies. The report *Defining Violence* and summaries of the major findings from the report will be available on [JPI’s website](#) on August 23rd.