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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.

“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 to have the courage to come up with a more effective approach to violence prevention, and address how the justice system treats violent offenses.”

In Virginia, a number of justice reform proposals have been mired down, in part around the debate of what defines a violent crime. Last year, the Commonwealth’s Commission on Parole Review recommended a series of changes to laws, including a reclassification of burglary, as well as changes that would have helped reduce the incarceration of individuals who were convicted of a violent crime in their past. None of the changes to Virginia’s

laws recommended by the Commission were enacted by the legislature in 2016. Instead of moving forward on law changes, a significant debate erupted between legislators and the Governor this summer over whether restoring the right to vote for people who had completed their prison term and completed post-prison supervision was re-enfranchising “violent felons.”

“There are a half dozen consensus recommendations the bipartisan Commission on Parole offered to legislators that would respond to the potential for overly harsh sentences we enacted twenty years ago that go beyond the offense, represent sound strategies to release people who bare little risk to public safety,” said Senator David Marsden, District 37, (Virginia- D). “If it is reassessing whether burglary should be a violent crime, or whether we give someone convicted of a crime in their distant past an opportunity to have their sentence reconsidered, we’re going to have to address harsh sentences at some point if we’re going to reduce prison populations and provide people with adequate due process.”

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.