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Prison reform the conservative way


It's time to retire the tough-on-crime sound bites. There are several ways to cut costs and still keep people safe.


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By Pat Nolan and Chuck DeVore
July 26, 2013

When liberals expand the reach and cost of government, conservatives label them "knee-jerk." However, conservatives have shown themselves to be enthusiastically knee-jerk in one area: criminal justice spending. For more than 40 years, conservatives have blindly supported a vast expansion of criminal laws and appropriated billions of dollars for new prisons to hold the inmates convicted under those laws.

Now, the weight of those costs is sinking California's budget, siphoning off dollars that could go to schools, roads, hospitals or tax cuts. With the state's expensive and troubled corrections system in crisis, there is a great opportunity to apply conservative principles — smaller, more effective government at lower cost to the taxpayers — to the prisons.

We are leaders in the national Right on Crime movement. We believe it's no longer enough for conservatives just to be tough on crime; we also must be tough on criminal justice spending. That means getting the most public safety for the fewest taxpayer dollars. Conservatives must demand the same accountability from our correctional system that we require from other government programs.

Some Republicans, for example, are trying to score short-term political points by employing old scare tactics about the state's prison "realignment" plan. Realignment gives local jails the responsibility — and funding — to oversee low-level inmates, while violent and career offenders remain the responsibility of costlier state prisons.

This is a common-sense division of responsibility. Realignment is a work in progress and there will be challenges, especially at the county level as different jurisdictions try different strategies.

Instead of reflexively chaining themselves to a costly prison structure that is failing, California conservatives should take a page from conservatives in other states who have successfully reformed prisons with conservative ideas. Those reforms have reduced crime and taxpayer costs while keeping the public safe and, when possible, providing assistance to victims.

There is much for conservatives to like about realignment. It returns significant criminal justice discretion and dollars to local control. With careful management, realignment should



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keep crime rates low and reduce the nearly \$10-billion California corrections burden by reserving expensive prison beds for career criminals and violent felons.

The public supports the new direction. A USC Dornsife/Los Angeles Times poll in June found that nearly 3 of 4 Californians endorse the idea behind realignment. And when David Binder Research asked crime victims whether California should "focus more on sending people to jail and prison or more on providing supervised probation and rehabilitation programs," the respondents chose probation

and rehabilitation by a 2-1 ratio.

Other states have found that rethinking corrections can pay dividends, for victims and taxpayers alike. In Texas, where being tough on crime is practically a residency requirement, legislators shifted funds from building prisons to alternatives such as strengthening probation and expanding drug courts. Texas saved more than \$2 billion in prison costs, and crime rates have fallen to levels not seen since 1968.

Texas' example has been repeated in states such as Ohio, Georgia and South Carolina. And in Oregon, the Legislature passed a major reform bill with bipartisan support that will help the state save \$326 million in new-prison construction while supporting local programs proven to prevent crime and reduce recidivism. Supporters included Oregon's associations of police chiefs, district attorneys, state police and sheriffs.

With California at a critical crossroads, the time is right for conservatives at the state and county levels to weigh in on corrections reforms. Here are three possible pathways:

Evaluation. One of realignment's weaknesses is the absence of outside evaluation of outcomes. Demand strict local accountability for taxpayer dollars and hard evidence of program results.

Alternatives and treatment. Explore how drug offenders, whether imprisoned or not, might be better helped to overcome addiction, which drives many lower-level crimes.

Accountability. Use sanctions that are rooted in conservative values, such as requiring restitution to victims, community service and other cost-effective measures that hold offenders accountable while helping them resume productive, law-abiding lives.

For too long, California conservatives have fallen into rhetorical traps that run counter to true conservative values of limited government and fiscal discipline. Now is the time for conservatives to retire the tough-on-crime sound bites and instead propose proven criminal justice reforms.

Pat Nolan, a distinguished fellow on justice at Prison Fellowship Ministries, was Republican leader of the California Assembly (R-Glendale) from 1984 to 1988. Chuck DeVore, vice president of policy at the Texas Public Policy Foundation, served in the Assembly (R-Irvine) from 2004 to 2010.

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tommythek50 at 6:51 AM July 26, 2013

The authors who wrote this "opinion" piece, and the editors who approved it, need to step up to the plate and ensure they house prisoners released in their homes or neighborhoods. They need to hire those folks at the Times to work along side them. Only then would the Times have any credibility on this issue.

philpy at 3:48 AM July 26, 2013

We're supposed to be a free people. Only activities that infringe on the rights of others (i.e. violent and property crimes) should be illegal. For the government to prohibit drug use/activity is a crime against liberty. Our criminal justice system is bogged down by drug-related cases, and our jails full of drug "offenders" whose "crimes" were engaging in drug activity that should be no more illegal than having a glass of wine to relax, cup of coffee to stimulate, or ibuprofen for pain relief. End prohibition/war on drugs to cut costs of prosecution and incarceration. Focus on punishing murderers, rapists, robbers, burglars. Lengthen sentences for real crimes.

whatever_dude at 11:00 PM July 25, 2013

This isn't about conservatism, it's about using our brains for a change. I'm a died-in-the-wool liberal and even I agree with you.

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