



Conservative Movement: New Messages and Policies On Criminal Justice - Part I

By Stephen M. Lilienthal

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Conservatives who address criminal justice issues are not unusual. But the fact that they are waging a campaign calling for less reliance on prisons, greater flexibility in sentencing, and better educational and job training for prisoners is striking.

Helping to lead this charge is Right on Crime (ROC), an initiative of the Texas Public Policy Foundation. Craig DeRoche, former speaker of the Michigan House of Representatives, now the president of Justice Fellowship (JF), credits Right on Crime with playing a key role in helping to advance the issue of criminal justice reform in the states and effectively promoting the issue of criminal justice reform to economic conservatives.

Right on Crime is a project of the Texas Public Policy

Foundation (TPPF), a libertarian-leaning think tank.

Vikant Reddy, a policy analyst who works for TPPF, explains, “Our goal is on reaching out to our fellow movement conservatives.” ROC’s goals, Reddy explains, are to accomplish the conservative objectives of “fighting crime, prioritizing victims, and protecting taxpayers.” In the view of ROC, the 85% of public safety dollars spent in many states on prisons, many of which are stuffed with prisoners who had their parole or probation revoked, is just not cost-effective. That money could be better spent on making sure that once prisoners leave prison, they stay out.

Supporters of ROC’s statement of principles include “brand name” movement leaders such as Edwin Meese, former US attorney general; Bill Bennett, former director of the Office of National Drug Control Policy; Newt Gingrich, former speaker of the US House of Representatives; and Grover Norquist, president of Americans for Tax Reform.

ROC does not lobby on legislation but it does advocate for policies centered around objectives such as alternative sentencing for non-violent offenses, reducing overcriminalization that can lead to incarceration for non-violent, often minor, offenses, and ensuring that prisoners have access to the education, job training, and moral reformation classes that can help them after leaving prison to reintegrate successfully into their communities. Usually, ROC advocates these measures as ways to rein in spiraling costs of the criminal justice system.

Ironically, ROC is taking aim in its efforts at a conservative base that formed in the mid-to-late 1960s and which helped to bring presidents Richard Nixon and Ronald Reagan, both Republicans, to power. Both leaders used “law and order” issues effectively during the 1960s, enabling the GOP and conservatives to corner a stronger image of being tough on crime that still lingers more than four decades later despite efforts by Democrats such as Bill Clinton to stake out their own “get tough” reputations.

The new conservative message insists, of course, that public safety remains paramount. But now, Reddy argues, some of the strongest supporters of criminal justice reform are conservatives. “These voters are profoundly skeptical of government overreach and excess spending. They want to cut the size of government.”

A March 2012 poll by the Pew Center on the States shows nearly half of voters identifying themselves as Republicans “strongly agree” that less emphasis should be placed on locking up non-violent offenders and more efforts at having them placed in community corrections programs. Democrats (67%) and Independents (57%) may agree by stronger margins but the GOP percentage is notable.

Spending on prison in ROC’s view is just warehousing people.

“We want real results, transparency, and efficiency,” explains Reddy, equating expanding prison costs to soaring welfare costs.

“Conservatives want to be tough on crime, but we also want to be tough on criminal justice spending,” insists Jesse Wiese, policy analyst with Justice Fellowship, an arm of Prison Fellowship Ministries (PFM), which, under the guidance of its founder, Chuck Colson, who served prison time after having been caught up in the scandals of the Nixon White House, played a vital role in introducing the conservative base to the issue of criminal justice reform.

ROC member Pat Nolan, a conservative former Republican leader in the California state Assembly who served over two years in Federal prison on a charge of racketeering after being caught in an FBI sting.

Nolan had supported prison building and tough laws, and received the PR spin about prisons he visited while in office, upon entering prison, he saw the results of the efforts of lawmakers had yielded unintended consequences.

“I saw things that shook me,” says Nolan. Expecting to find prison full of crime “kingpins” he discovered most criminals were low-level. The mandatory minimum laws Nolan and other lawmakers supported did not lead to “ratting up the chain” but rather down. He was surprised at how prisoners often lacked access to basic education, job training, and moral reformation classes that could help them to avoid returning to prison. As Nolan wrote in a paper, “Criminal Justice Reform: A Revolution on the Right” published by the United Kingdom’s Institute for Public Policy Research, “Our prisons might be worth the current cost if the recidivism rate were not so high.”

Leaving prison, Nolan became president of Justice Fellowship, part of the late Charles Colson’s Prison Fellowship Ministries organization that serves the needs of Christians in prison and after. While at JF, Nolan advanced reforms at the Federal level such as the Prison Rape Elimination Act and the Second Chance Act. He enlisted as a supporter of ROC.

Now the Chuck Colson Distinguished Fellow on Justice, Nolan remains active in ROC.

Nolan sees ROC’s work as important in that it concentrates on the state level and unites leaders of the different strands within conservatism: libertarians concerned with less government; religious conservatives, predominantly Christian, concerned with moral reformation and the better integration of returning prisoners into their communities; and traditional conservatives, who support fiscal accountability and local and voluntary initiatives to improve communities.

DeRoche says the coalition is mobilizing support at the executive branch level, which he considers likely to lead to way deeper systemic reforms. He predicts that in 2016 at least some of the GOP candidates for the presidential nomination will be talking about criminal justice reform in ways that differ dramatically from the tone and policies advocated by the party’s presidential nominees of the past 40 years.

Stephen M. Lilienthal is a freelance writer who lives in Washington, DC. He is the author of “Prison and Libraries: Public Service Inside and Out” which was published in Library Journal earlier this year.

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Comments:

1. ***Fred Davis*** on 07/23/2013:

Goldwater would have been considered a libertarian today but classical liberals liked his ideas also. If classical liberals would combine and communicate with true conservatives today it would push the status quo in a more favored direction where good change could happen. Great article. There is still hope.