



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

STATEMENT OF PRINCIPLES

FOREWORD BY

GARRY McCARTHY

Superintendent, Chicago Police Department
Co-Chair, Law Enforcement Leaders

RONAL SERPAS

Former Superintendent, New Orleans Police Department
Co-Chair, Law Enforcement Leaders

ABOUT LAW ENFORCEMENT LEADERS

Law Enforcement Leaders to Reduce Crime and Incarceration unites more than 130 current and former police chiefs, federal and state chief prosecutors, and attorneys general from all 50 states to urge for a reduction in both crime and incarceration. With this group, law enforcement joins the emerging movement calling for an end to unnecessary, widespread incarceration.

We believe the country can reduce incarceration while keeping down crime. We believe unnecessary incarceration does not work to reduce crime, wastes taxpayer dollars, damages families, and divides communities. We aim to build a smarter, stronger, and fairer criminal justice system by replacing ineffective policies with new solutions that reduce both crime and incarceration.

***Membership in the group requires signing onto the mission statement. Group action or endorsements do not necessarily reflect the beliefs of all individual members.*

Law Enforcement Leaders is a project of the Brennan Center for Justice at NYU School of Law.

OUR MISSION STATEMENT

As current and former leaders of the law enforcement community — police chiefs, sheriffs, district and state’s attorneys, U.S. Attorneys, attorneys general, and other leaders — protecting public safety is a vital goal. From experience and through data-driven and innovative practices, we know the country can reduce crime while also reducing unnecessary arrests, prosecutions, and incarceration. We can also reduce recidivism and strengthen relationships with communities. With the goal of building a smarter, stronger, and fairer criminal justice system, we are joining together to urge a change in laws and practices to reduce incarceration while continuing to keep our communities safe.

CONTACT US

To learn more about Law Enforcement Leaders and to see a full list of members, contact Senior Coordinator Nicole Fortier at nicole.fortier@lawenforcementleaders.org or visit our website at www.lawenforcementleaders.org.

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OUR LEADERSHIP

Co-Chairs

- **Garry McCarthy**, Police Superintendent, Chicago, Illinois; former Police Director, Newark, New Jersey; former Operations Deputy Commissioner, New York, New York
- **Ronal Serpas, Ph.D.**, former Police Superintendent, New Orleans, Louisiana; former Police Chief, Nashville, Tennessee; Professor of Practice of Criminology and Justice, Loyola University New Orleans

Steering Committee

- **Hassan Aden**, Police Director of Research and Programs, International Association of Chiefs of Police; former Police Chief, Greenville, North Carolina; former Deputy Police Chief, Alexandria, Virginia
- **Mark Earley**, former Attorney General, Virginia; former President and CEO, Prison Fellowship; Member, Right on Crime
- **Walter Holton**, former U.S. Attorney, Middle District of North Carolina
- **James E. Johnson**, former Undersecretary for Enforcement, Department of the Treasury; former Deputy Chief, Criminal Division, Southern District of New York; former Assistant U.S. Attorney and Deputy Chief of the Criminal Division, Southern District of New York
- **Kathleen O'Toole**, Police Chief, Seattle, Washington; former Police Commissioner, Boston, Massachusetts
- **Ronal Serpas, Ph.D.**, former Police Superintendent, New Orleans, Louisiana; former Police Chief, Nashville, Tennessee; Professor of Practice of Criminology and Justice, Loyola University New Orleans
- **Cyrus Vance**, District Attorney, New York County, New York

Staff

- **Nicole Fortier**, Senior Coordinator

Members

We are more than 130 members strong, representing all 50 states. For a full members list or to become a member, visit our website.

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Foreword

By Garry McCarthy and Ronal Serpas

Most people believe more punishment means less crime. The more criminals we lock up, the safer we are. But as police officers, we know firsthand that relying on jail and prison time is not enough. In fact, too much incarceration fails to help us bring down crime altogether.

We know it is possible to reduce incarceration and crime at the same time. We can build a fairer and smarter criminal justice system that continues to protect public safety.

Leaders across the spectrum, including President Obama, Sen. Orrin Hatch, and Pope Francis, are calling for change. A bipartisan group of senators just introduced a hotly anticipated criminal justice reform bill. As the heads of our nation's law enforcement agencies, it is time that we, too, speak out.

For this reason, we have spearheaded an effort to bring together leading police and prosecutors to launch an organization to reduce unnecessary incarceration. Our group, Law Enforcement Leaders to Reduce Crime and Incarceration, unites more than 130 current and former police chiefs, federal and state prosecutors, and attorneys general across all 50 states. Drawing from our decades of experience, we seek to replace ineffective policies with new solutions that both reduce crime and incarceration.

We know that putting too many people behind bars does not keep us safe, especially for drug and nonviolent offenses. Research shows that imprisoning people at today's levels has little measurable crime control benefit. In fact, jail and prison can kick-start a cycle of incarceration that turns first-time offenders into repeat offenders. Incarceration turns people's lives upside down, hurts the communities they belong to, and costs taxpayers an astonishing \$80 billion per year — all while doing little to reduce crime.¹

There is a better way. We know that changes must happen within our departments. But as police and prosecutors, we are obligated to enforce the law, which often over-criminalizes and over-punishes. There is no tolerance for people who commit violent acts in our communities, but we must pull laws back to more balanced and fair levels.

This paper puts forward the policy and legal reforms our group urges police, prosecutors, and legislatures across the country to adopt. These changes are needed to reduce crime and incarceration simultaneously, and help us do our jobs.

Our number one priority is public safety. With momentum for criminal justice reform accelerating, we want to leave no doubt where the law enforcement community stands: We need less incarceration, not more, to keep all Americans safe.

Garry McCarthy is the Superintendent of the Chicago Police Department and Co-Chair of Law Enforcement Leaders to Reduce Crime and Incarceration.

Ronal Serpas is the former Superintendent of the New Orleans Police Department and Co-Chair of Law Enforcement Leaders to Reduce Crime and Incarceration.

I. Law Enforcement's Role in Criminal Justice Reform

First and foremost, our role as law enforcement leaders is to protect public safety. We have dedicated our careers to fighting crime and have seen firsthand the toll that lawbreaking takes on communities. We believe it is in the interest of the entire country to be vigilant about pushing back on criminal activity.

Common sense might suggest that more punishment keeps down crime. But as law enforcement leaders, we know that over-relying on incarceration does not always keep our communities safe. We know from experience that it is indeed possible to reduce crime and reduce arrests, prosecutions, and incarceration. We have a responsibility to work toward these goals simultaneously.

To advance this cause we created the group Law Enforcement Leaders to Reduce Crime and Incarceration (“Law Enforcement Leaders”). We are joining together to urge a nationwide reduction in incarceration while continuing to keep our communities safe. We seek to institute practices in our own offices and support changes to our laws that achieve this goal. This *Statement of Principles* provides our beliefs and the policies we support.

A. The Crisis of Incarceration

Incarceration levels in the United States have reached a crisis point. Today, our country has 5 percent of the world's population and 25 percent of its prisoners. If the prison population were a state, it would be the 36th largest — bigger than Delaware, Vermont, and Wyoming combined.² Too many people are behind bars that don't belong there.

Extensive reliance on prison as a punishment does not keep us safe. Imprisoning people at today's exorbitant levels has little crime control benefit. One recent study finds that increased incarceration has a limited — and shrinking — effect on the nation's crime decline.³ In some cases, incarceration can increase future crime, as prison often acts as a “crime school.” Research shows this especially affects nonviolent offenders, who in prison are surrounded by people with serious and violent backgrounds, and upon release carry the social and legal stigma of convicts.⁴

For the first time in 40 years, both crime and imprisonment have fallen together since 2008.⁵ We know that we can reduce incarceration without risking increasing crime. In fact, large states such as California, Michigan, New Jersey, New York, and Texas have all reduced their prison populations while crime has continued to fall.⁶

Our current system is tremendously expensive. Government spending on jails and prisons has grown almost 400 percent over the past 30 years. Today, our vast system of prisons costs \$80 billion a year.⁷ These dollars could be better spent on what we know works to keep down crime — smart law enforcement policies, reentry services, and mental health and drug treatment for those who need it.

Imprisoning so many people comes at a great cost not only to taxpayers, but also to our communities. Unnecessary incarceration exacerbates economic inequality and racial disparities, and hinders economic opportunity in the communities that need it most. Today, one in three black men will end up incarcerated. And 60 percent of prisoners reentering society face long-term unemployment.⁸

For decades, the problem of unnecessary incarceration has grown in plain sight. In 2013, 16 states passed laws to begin rolling back their prison populations.⁹ Congress is considering reform, and virtually everyone running for president has spoken out on the topic. But much more needs to be done. Now is the time for law enforcement, as leaders in the field, to help.

B. Our Mission

Law Enforcement Leaders to Reduce Crime and Incarceration unites more than 130 current and former police and prosecutors from all 50 states to urge for a reduction in both crime and incarceration. We believe the country can reduce incarceration while keeping down crime, and we support changes to our criminal justice system to achieve that goal.

Our mission statement: As current and former leaders of the law enforcement community — police chiefs, sheriffs, district and state’s attorneys, U.S. Attorneys, attorneys general, and other leaders — protecting public safety is a vital goal. From experience and through data-driven and innovative practices, we know the country can reduce crime while also reducing unnecessary arrests, prosecutions, and incarceration. We can also reduce recidivism and strengthen relationships with communities. With the goal of building a smarter, stronger, and fairer criminal justice system, we are joining together to urge a change in laws and practices to reduce incarceration while continuing to keep our communities safe.¹⁰

Our goal is to support and urge for action at all levels that will reduce incarceration, while keeping the country safe.

How Will Law Enforcement Leaders Advance its Mission and its Priority Issues?

Law Enforcement Leaders members will engage in a campaign to speak out from experience that it is indeed possible to reduce crime while also reducing arrests, prosecutions, and incarceration. Specifically, we will:

- **Serve as public and media spokespeople:** Members will call for nationwide reform in the media and at public events.
- **Advocate for legislative and policy change:** Members will strategically support legislative changes at the federal and state levels, and policy changes at the local level and in our own offices that advance our priority issues.
- **Vet criminal justice research:** Members will review research reports offering new data or new policy proposals to reduce incarceration.

II. Proposed Solutions

Law Enforcement Leaders is committed to identifying and implementing solutions to simultaneously reduce crime and incarceration. Police departments and prosecutorial offices must adjust policies within our offices that over-rely on arrests and incarceration. However, as law enforcement, we are obligated to enforce the law. Therefore, there is also a need for urgent change to our laws that over-criminalize and over-punish. Within the overarching goal of reducing incarceration while reducing crime, we advocate for four specific changes.

A. Increasing Alternatives to Arrest and Prosecution, Especially Mental Health and Drug Treatment

The Problem

Police officers and prosecutors often come in contact with individuals who would be better served with responses outside the criminal justice system. Often, police and prosecutors are the sole responders in these cases. Unfortunately, law enforcement usually lacks readily available alternatives beyond arrest and prosecution. Today, more than 50 percent of prison and jail inmates have a diagnosed mental illness, and 65 percent of prisoners meet medical criteria for substance abuse and addiction.¹¹ Many of these individuals need treatment, not arrest and jail time. The criminal justice system cannot serve as a treatment plan, and in many cases, exacerbates illnesses and addictions.

Our Solution

Law Enforcement Leaders supports policy and practice changes within law enforcement agencies that offer alternatives to arrest and prosecution. We urge police departments and prosecutors' offices to adopt policies that prioritize mental health and drug treatment instead of arrests and prosecution, when law enforcement has the discretion to choose this alternative and it would not harm public safety. We also support training of law enforcement to recognize individuals in need of these alternatives.

Law Enforcement Leaders urges federal, state, and local law enforcement agencies to provide their officers and prosecutors with alternatives to address mental illness and addiction outside of the justice system. We will identify and highlight programs that reduce both crime and incarceration. By addressing the underlying cause of criminal activity, such programs successfully reduce repeat criminal activity and are more cost-effective than incarceration.

Successes*

Several departments have already made progress:

- *Seattle, Washington.* Started in 2011, Seattle’s Law Enforcement Assisted Diversion (LEAD) program allows law enforcement to send individuals arrested for low-level drug offenses to treatment and support services rather than booking and charging them. The program has proven results. LEAD participants are 58 percent less likely to be arrested again than those processed through the system.¹²
- *Miami-Dade County, Florida.* Miami’s Criminal Mental Health Project (CMHP) provides training for police officers to better understand how best to help people suffering from serious mental health crises. In 2013, Miami police arrested only 9 of more than 10,000 people in response to mental health calls — opting to bring most of them to crisis stabilization centers instead of jail. The significant reduction in arrests allowed the county to close one of its five jails. CMHP also offers treatment instead of prison for people arrested for non-serious crimes who suffer from a mental illness. Participants in these CMHP programs are 58 percent less likely to be arrested than those who did not participate.¹³

B. Restoring Balance to Criminal Laws, Including Reclassifying Crimes Where Appropriate

The Problem

Police and prosecutors are often left to enforce overly harsh laws, resulting in too many people arrested and imprisoned for too long. The number of acts considered crimes in the United States has grown significantly since the 1970s.¹⁴ In other circumstances, existing criminal penalties were increased so that the punishment no longer fits the crime. As a result, jails and courts are flooded daily with people accused of minor offenses. In many states, nonviolent and non-serious crimes, such as shoplifting or writing a bad check, became felonies. The time and resources spent focusing on low-level offenses takes away from handling and preventing more serious and violent crimes. Once in the system, most people enter a cycle of repeat incarceration in which youthful petty offenders end up in jail or prison multiple times. Each year, 600,000 people leave prison trying to succeed in their old neighborhoods, two-thirds of whom will be rearrested within three years.¹⁵

*The examples in this report are illustrative and do not necessarily constitute endorsement by Law Enforcement Leaders members.

Our Solution

Law Enforcement Leaders members seek to restore balance to our criminal laws through efforts such as the reclassification of crimes. We urge Congress and state legislatures to take up changes to reclassify nonviolent felonies as misdemeanors or eliminate petty or duplicative offenses from criminal codes, where appropriate. We will identify and speak out against laws mandating overly harsh punishments. With such steps, police and prosecutors can hold people accountable for breaking the law in a fair and effective way. With proportional sentences, we can reduce both sentence lengths and the possibility of repeat crimes, breaking the cycle of incarceration for low-level offenders, and focus our resources on individuals who have committed serious and violent crimes.

Successes

Some states have enacted reforms to this effect and achieved success:

- *Georgia.* In the 1990s, the Georgia General Assembly enacted strict sentencing laws to combat crime rates. As a result, the state's prison population nearly doubled over the next two decades. By 2011, Georgia had the fourth highest incarceration rate in the country, with 1 in 70 adults behind bars. To curb this growth, the legislature passed House Bill 1176 in 2012.¹⁶ The law increased the felony threshold for shoplifting from \$300 to \$500 and for most other theft crimes to \$1,500. It is projected to save taxpayers \$264 million by 2017. Since its passage, Georgia continues to enjoy historically low crime rates.¹⁷
- *California.* California has long struggled with an unsustainable prison population. Between 1975 and 2006, its prison population increased eightfold and its jail populations more than tripled.¹⁸ In 2014, voters passed Proposition 47 to reduce the state's prison populations and better invest in public safety. The ballot initiative reclassified several nonviolent felonies — such as drug possession, writing a bad check, petty theft, and receiving stolen property — as misdemeanors. It also required that government spend those savings on education and crime prevention programs.¹⁹

C. Reforming Mandatory Minimums

The Problem

Mandatory minimum, three strikes you're out, and truth in sentencing laws are typically overly punitive. They often impose excessively long sentences for crimes, especially for drug and nonviolent offenses. Their consequences are felt throughout the country: The average prison stay has increased 36 percent since 1990. The federal inmate population grew more than 400 percent since the late 1980s; now, their prisons are 39 percent beyond capacity.²⁰

Research has shown that increasing time served does not help keep the public safe. Studies show that longer sentences have minimal or no benefit on future crime. Even worse, research shows a strong correlation between increased prison time and repeat offenses, meaning prison may create more serious and violent offenses when overused. For example, a 2002 study indicates that sentencing low-level drug offenders to prison may increase the likelihood they will commit crimes upon release. Research from the Arnold Foundation indicates that longer pretrial detention is associated with new criminal activity even after the case is resolved.²¹

Our Solution

Law Enforcement Leaders members support reforming mandatory minimum laws, especially for drug and nonviolent offenses. We urge Congress and state legislatures to reduce mandatory minimum sentences set by law, and also reduce maximum sentences. We will identify and speak out against unnecessarily harsh and counterproductive laws. Judges should be allowed more flexibility in sentencing and the discretion to determine appropriate punishments. With proportional sentences, we can reduce both sentence lengths and the likelihood individuals will commit further crimes.

Successes

Several states have done this while continuing to see crime fall to historic lows:

- *New York.* New York State passed the “Rockefeller drug laws,” imposing harsh mandatory sentences for drug possession in 1973. As a direct result, the state’s prison population increased sixfold with striking racial disparities. In 2009, to slow the growth of its prison system, New York removed the law’s mandatory minimums for low-level drug offenses, choosing instead to allow judges to use their discretion to determine appropriate sentence lengths or decide to send someone to treatment instead. Since 2009, the number of people sent to prison and the length

of sentences has declined statewide. Sentencing disparities between minority and white defendants also narrowed by one-third. Now, those sent into treatment have only a 36 percent chance of committing a repeat offense, versus 54 percent for those incarcerated before the new law went into effect.²²

- *Kentucky.* In 1992, Kentucky enacted a series of laws triggering mandatory minimums for drug possession within 1,000 yards of schools. In many urban communities, this covered virtually every neighborhood, leading to an inflation of the state's prison population. Worse still, these laws did little to secure public safety, instead fiercely punishing community members for low-level and nonviolent drug possession.²³ In 2011, Kentucky passed HB 463, which limited the use of mandatory minimums to within 1,000 feet of schools rather than 1,000 yards. It reinvested the savings from the reduced prison costs into drug treatment services.²⁴ In one year, the prison population dropped by more than 1,400 people, saving the state \$20,000 per person annually.²⁵ Kentucky's crime rate is still at an all-time low.²⁶

D. Strengthening Community-Law Enforcement Ties

The Problem

Trust between law enforcement and the public is essential. Communities rely on police and prosecutors to protect them from crime and injustice. We, in turn, rely on community support and cooperation in ensuring safety. But in too many neighborhoods across the country, this vital relationship is strained.

Our Solution

Working with community members allows police and prosecutors to effectively reduce crime, protect communities, and ensure justice. Law Enforcement Leaders support agency practice changes to strengthen community relations. We support police departments' collaboration with neighborhood residents in developing policies that identify community problems and implement solutions to produce meaningful results.

Similarly, we support prosecutors' offices in adopting policies informed by community concerns on crime. To better understand these concerns, prosecutors should work within communities and encourage open dialogue on how best to serve neighborhoods.

To ensure effective implementation of these policies, Law Enforcement Leaders urges federal, state, and local law enforcement agencies to train officers and prosecutors in procedural justice and police legitimacy to more effectively engage with community members.

Successes

Some successful efforts to strengthen community relations include:

- *District of Columbia.* In 2007, the Metropolitan Police Department implemented a new policing strategy to reduce violence by rebuilding the relationship between the police and communities. Instead of cracking down on minor crimes, hundreds of officers went into neighborhoods to get to know the people they protect and serve. At the same time, the department launched social media and public communication tactics to reach members of the community in a new way. By garnering trust with the community, the department has been able to increase the flow of information from the public, and now receives more useful intelligence about criminal activity. From 2008 to 2012, homicides decreased by more than half — to a level the city had not seen in nearly 50 years. Connecting with police and communities reduced crime and built safe, thriving neighborhoods.²⁷
- *Cook County, Illinois.* Starting in 1998, the state’s attorney in Cook County opened five community prosecutor offices. Prosecutors encouraged neighborhood residents to work with them to deter offenses the community identified as concerning. The state’s attorney then focused resources on charging and prosecuting offenders of those crimes. A study by the University of Chicago Crime Lab indicates that those neighborhoods — which comprised 37 percent of the Chicago population — experienced a 10 percent reduction in murder, rape, and aggravated assault compared with non-program areas.²⁸

III. The Way Forward

As law enforcement officials, we know protecting public safety requires more than incarceration alone. To be sure, some people need to go to prison, particularly those who have committed serious and violent crimes. But our criminal laws and law enforcement policies too often encourage arrest and prosecution — making our jobs more difficult.

We are dedicated to public safety. And we are equally dedicated to a fair and effective justice system. Our law enforcement experience shows us that both are possible. We have a responsibility to work toward reducing crime and unnecessary incarceration simultaneously.

With these principles, Law Enforcement Leaders members will work to identify and implement solutions to reform crime control tactics and the justice system more broadly. We urge police departments and prosecutorial offices to adjust internal policies that over-rely on arrests and incarceration. We urge lawmakers to change laws that over-criminalize and over-punish. Through these efforts, we hope to strengthen the criminal justice system, legitimize law enforcement, and better protect American communities.

Endnotes

- ¹ TRACEY KYKELHAHN, BUREAU OF JUSTICE STATISTICS, JUSTICE EXPENDITURE AND EMPLOYMENT EXTRACTS, 2012 – PRELIMINARY (2015) (Showing FY 2012 state and federal corrections expenditures).
- ² See ROY WALMSLEY, INT’L CENTRE FOR PRISON STUDIES, WORLD PRISON POPULATION LIST 3 (10th ed. 2013) (providing the national population for the United States as 5% of the world population and the prison population as 22% of the world’s incarcerated population); see also LAUREN E. GLAZE & DANIELLE KAEBLE, BUREAU OF JUSTICE STATISTICS, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2013 3 tbl.1 (2014), available at <http://www.bjs.gov/content/pub/pdf/cpus13.pdf> (showing that in 2013 there were 2,220,330 persons incarcerated in the United States in 2013 and 6,899,000 in the entire correctional population); see U.S. CENSUS BUREAU, ANNUAL ESTIMATES OF THE RESIDENT POPULATION: APRIL 1, 2010 TO JULY 1, 2014 (2015), available at <http://www.census.gov/popest/data/national/totals/2014/index.html> (showing that as of July 1, 2014 the estimated population of the 35th largest state, Nevada, was 2,839,099 and the population of the 36th largest state, New Mexico, was 2,085,572; the populations of Delaware, Vermont, and Wyoming combined equaled 2,146, 329; the population of the 13th largest state, Washington, was 7,061,530 and the population of the 14th largest state, Massachusetts, was 6,745,408).
- ³ See OLIVER ROEDER, ET AL., BRENNAN CTR. FOR JUSTICE, WHAT CAUSED THE CRIME DECLINE? (2015), available at <https://www.brennancenter.org/publication/what-caused-crime-decline> (estimating the contribution of incarceration to crime decline to be between 0 and 10% during the 1990’s, and between 0 and 1% during the 2000’s).
- ⁴ See, e.g. BRUCE WESTERN, PUNISHMENT AND INEQUALITY IN AMERICA 161 (2006); Cassia Spohn & David Holleran, *The Effect of Imprisonment on Recidivism Rates of Felony Offenders: A Focus on Drug Offenders*, 40 CRIMINOLOGY 327, 347 fig.1 (2002); CHRISTOPHER T. LOWENKAMP ET AL., THE ARNOLD FOUND., THE HIDDEN COSTS OF PRETRIAL DET. 4 (2013), available at http://www.arnoldfoundation.org/wp-content/uploads/2014/02/LJAF_Report_hidden-costs_FNL.pdf; CHRISTY VISHER, ET AL., URBAN INST., LIFE AFTER PRISON: TRACKING THE EXPERIENCES OF MALE PRISONERS RETURNING TO CHICAGO, CLEVELAND, AND HOUSTON 4 (2010), available at <http://www.urban.org/research/publication/life-after-prison-tracking-experiences-male-prisoners-returning-chicago-cleveland-and-houston>.
- ⁵ The total crime rate declined by 11.6 percent in 2012 compared to the total crime rate in 2008. The total incarceration rate declined by 8 percent in 2012 compared to 2008. The last time the crime and incarceration rates declined simultaneously was in 1972, when the crime rate declined by 4.9 percent from 1971 to 1972, and the imprisonment rate declined by 2.1 percent. See *UCR Data Online*, UNIFORM CRIME REPORTING STATISTICS, <http://ucrdatatool.gov/index.cfm> (providing crime statistics from 1960 to 2012); see also LAUREN E. GLAZE & ERINN J. HERBERMAN, BUREAU OF JUSTICE STATISTICS, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2012 2 & tbl. 1 (2013), available at <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4843> (providing statistics on incarceration rates that include state and federal prison data and jail data); see also CHET BOWIE, BUREAU OF JUSTICE STATISTICS, PRISONERS 1925-81 2 tbl.1 (1982), available at <http://www.bjs.gov/content/pub/pdf/p2581.pdf> (providing statistics on imprisonment rates that include state and federal prison data).
- ⁶ See OLIVER ROEDER, ET AL., BRENNAN CTR. FOR JUSTICE, WHAT CAUSED THE CRIME DECLINE? 28 fig.6 (2015), available at <https://www.brennancenter.org/publication/what-caused-crime-decline> (citing *UCR Data Online*, UNIFORM CRIME REPORTING STATISTICS, <http://ucrdatatool.gov>; BUREAU OF JUSTICE STATISTICS, CORRECTIONS STATISTICS ANALYSIS TOOL – PRISONERS, <http://www.bjs.gov/index.cfm?ty=npns>).

- ⁷ Compare NICOLE FORTIER & INIMAI CHETTIAR, BRENNAN CTR. FOR JUSTICE, SUCCESS-ORIENTED FUNDING: REFORMING FEDERAL CRIMINAL JUSTICE GRANTS 25 n.19 (2014), available at <https://www.brennancenter.org/publication/success-oriented-funding-reforming-federal-criminal-justice-grants> (finding that total criminal justice spending in the United States equals \$260.5 billion) with BUREAU OF JUSTICE STATISTICS, JUSTICE EXPENDITURE AND EMPLOYMENT EXTRACTS: 1984, 1984 AND 1986 156 (1991), available at <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=3912> (finding that in 1986 the justice system spent \$53.5 billion); TRACEY KYKELHAHN, BUREAU OF JUSTICE STATISTICS, JUSTICE EXPENDITURE AND EMPLOYMENT EXTRACTS, 2012 – PRELIMINARY (2015) (Showing FY 2012 state and federal corrections expenditures).
- ⁸ See Marc Mauer, *Addressing Racial Disparities in Incarceration*, 91 PRISON J. 87S, 88S (2011); Joan Petersilia, Nat'l Inst. Of Justice, *When Prisoners Return to the Cmty.: Political, Economic, and Social Consequences*, SENTENCING AND CORRECTIONS: ISSUES FOR THE 21ST CENTURY 3 (2000), available at <https://www.ncjrs.gov/pdffiles1/nij/184253.pdf> (finding that one year after release as many as 60% of former inmates are not employed in the legitimate labor market).
- ⁹ RAM SUBRAMANIAN, ET AL., VERA INST. OF JUSTICE, RECALIBRATING JUSTICE: A REVIEW OF 2013 STATE SENTENCING AND CORR. TRENDS 42 (2014), available at <http://www.vera.org/sites/default/files/resources/downloads/state-sentencing-and-corrections-trends-2013-v2.pdf>.
- ¹⁰ Membership to the group requires signing onto the mission statement. Group action or endorsements do not necessarily reflect the beliefs of all individual members.
- ¹¹ DORIS J. JAMES & LAUREN E. GLAZE, BUREAU OF JUSTICE STATISTICS, MENTAL HEALTH PROBLEMS OF PRISON AND JAIL INMATES 1, 3 (2006) (56% of state prisoners, 45% of federal prisoners, and 64% of jail inmates have a mental health problem, and about 1 in 10 adults in the U.S. general population have a mental health disorder); THE NAT'L CTR. FOR ADDICTION & SUBSTANCE ABUSE AT COLUMBIA UNIV., BEHIND BARS II: SUBSTANCE ABUSE AND AMERICA'S PRISON POPULATION 25 (2010), available at <http://www.casacolumbia.org/addiction-research/reports/substance-abuse-prison-system-2010>.
- ¹² SUSAN E. COLLINS, ET AL., UW LEAD EVALUATION TEAM, LEAD PROGRAM EVALUATION: RECIDIVISM REPORT 3-5 (2015), available at http://static1.1.sqspcdn.com/static/f/1185392/26121870/1428513375150/LEAD_EVALUATION_4-7-15.pdf?token=xTmZUgmkb4HTY3bnogXuOI8Uows%3D.
- ¹³ ELEVENTH JUDICIAL CIRCUIT MIAMI DADE COUNTY, FLORIDA, ELEVENTH JUDICIAL CRIMINAL MENTAL HEALTH PROJECT – PROGRAM SUMMARY 2, 3 (2014).
- ¹⁴ Gary Fields & John R. Emshwiller, *Many Failed Efforts to Count Nation's Federal Criminal Laws*, WALL ST. J., July 23, 2011, available at <http://www.wsj.com/articles/SB10001424052702304319804576389601079728920> (finding that there are about 3,000 federal criminal offenses); Paul J. Larkin, Jr., *Public Choice Theory and Overcriminalization*, 36 HARV. J.L. & PUB. POL'Y 759, n. 193 (2013) (on the frequency with which Congress created new crimes).
- ¹⁵ MATTHEW DUROSE, ET AL., BUREAU OF JUSTICE STATISTICS, RECIDIVISM OF PRISONERS RELEASED IN 30 STATES IN 2005: PATTERNS FROM 2005 TO 2010 31 (2014), available at <http://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf>.

- ¹⁶ MICHAEL P. BOGGS, ET AL., REPORT OF THE GEORGIA COUNCIL ON CRIMINAL JUSTICE REFORM 6, 7 (2014), *available at* https://gov.georgia.gov/sites/gov.georgia.gov/files/related_files/document/GA%20Criminal%20Justice%20Reform%20Council%20Report.pdf; H.B. 1176, Ga. Act 709 (Ga. 2012), (signed by Governor on May 2, 2012); *Governor to Sign Sweeping Justice Reform Bill*, ATLANTA J. CONST., May 2, 2012, *available at* <http://www.ajc.com/news/news/state-regional-govt-politics/governor-to-sign-sweeping-justice-reform-bill/nQTTQ>.
- ¹⁷ *See UCR Data Online*, UNIFORM CRIME REPORTING STATISTICS, <http://ucrdatatool.gov/index.cfm> (showing 38,097 violent crimes in Georgia in 2014; 36,541 in 2013; 37,591 in 2012, and violent crime totals above 39,000 from 1988-2009).
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To learn more about Law Enforcement Leaders and to see a full list of members, contact Senior Coordinator Nicole Fortier at nicole.fortier@lawenforcementleaders.org or visit our website at www.lawenforcementleaders.org.