

The Next Steps in Criminal Justice Reform

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[Matthew W. Epperson](#) & [Carrie Pettus-Davis](#), [Smart Decarceration: Achieving Criminal Justice Transformation in the 21st Century](#) (2017).

A number of books and articles have taken aim at America's mass incarceration debacle. *Smart Decarceration*, a multi-author edited volume, assumes that the tide has turned. As the editors point out in the first chapter, several states have begun depopulating their prisons, eliminating mandatory minima, and creating more alternatives to prison, a movement sometimes dubbed "Smart Sentencing." *Smart Decarceration* is about the sequel. Authored by academics with degrees in criminology, sociology, history, public health and social work, as well as by leaders in community organization, practicing lawyers, pastors, and formerly incarcerated individuals, this book is devoted to picturing what optimal decarceration should look like.

The diverse perspectives provided in *Smart Decarceration* ensure a nuanced, multi-disciplinary treatment of that issue. But there is also an overriding agenda, perhaps best summarized by [Kathryn Bocanegra](#) in her chapter, when she states that "exclusively focusing on reducing prison populations without considering the sustainability of such an effort is potentially dangerous." (P. 115.)

The first step in realizing a sustainable decarceration movement is to carry out prison population reduction in a meaningful, politically feasible fashion. [Nazgol Ghandnoosh](#) notes that while the decarceration trend in the United States began in 2010, "the pace of contraction has been slow: a total decline of 3% by 2014"; she concludes that, at that rate, it will take until 2101 for the prison population to return to its 1980 level. (P. 139.) She proposes an upper limit of 20 years on all sentences, and a professionalized parole process that focuses on risk assessment. In support of this regime, Ghandnoosh states, "[L]ong sentences have little deterrent effect and keep many people imprisoned after they pose little risk to public safety. They not only waste the lives and damage the spirits of the people serving these sentences, they also impede public investments in effective crime prevention, drug treatment, and other rehabilitative programs that promote healthier and safer communities." (P. 153.)

These themes are echoed by several other authors. [Ernest Drucker](#) calls for a public health approach to decarceration. Borrowing from the prevention model of health care, he discusses primary, secondary and tertiary means of reducing entry into jails and prisons, ensuring that incarceration does not exacerbate recidivism, and pursuing environmental and other changes that minimize incentives for ex-prisoners to reoffend. Two other chapters, each by multiple authors, recommend that the decisions about entry and release should be aided by actuarial-based risk assessment and risk management tools, *if* steps are taken to enhance their accuracy and transparency, and if they are used primarily as a mechanism for decreasing sentences and fitting rehabilitation programs to the individual needs of the offender. These types of changes can assuage public fears that shortened prison terms will unleash hordes of dangerous criminals, at the same time they provide offenders with the best opportunity to succeed.

Several other chapters focus on re-entry, which arguably is the single most important decarceration issue, given the huge numbers of offenders who are released (about 600,000 per year, P. 103). The editors, along with [Annie Grier](#), point out in one of their chapters the obvious disconnect between the desire to ensure that released prisoners make a smooth transition into civilian life and the huge number of civil disabilities they face, including ineligibility for housing, food stamps, student loans, professional licensure, certain forms of employment and voting and parental rights. As they note, "addressing criminogenic needs entails increasing access to many life domains, including education, employment, housing, and social life; however, civil disability policies actually exclude access to many of these same

domains.” (P. 167.)

Other chapters describe innovative programs for ex-offenders, most of which take advantage of currently under-leveraged resources in the community, ranging from colleges, universities and local businesses to church-, family- and systems-oriented interventions. Particularly noteworthy here is the chapter by two prosecutors, [John Chisholm](#) and [Jeffrey Altenburg](#), which describes a host of initiatives in Milwaukee that rely heavily on data and that involve early intervention programs, community prosecution units, community justice councils, “Intelligence Led Prosecution” (focused on high risk offenders), and reinvestment projects. The fact that prosecutors can get on board with these types of efforts makes one cautiously optimistic about the decarceration movement.

Perhaps most distinctive about the book is the inclusion of chapters from formerly incarcerated individuals. [Ronald Simpson-Bey](#), who spent 27 years in prison, asserts that “Those closest to the problems are closest to the solutions.” (P. 55.) His chapter and that of [Glenn Martin](#), another ex-prisoner, detail the impediments they faced after release. But the primary focus of both chapters is to push for heavy involvement of such individuals in leadership positions, not only with respect to the design and implementation of re-entry programs and release-decision-making practices, but also in the manner in which police and prosecutors carry out their roles.

The last chapter, written by the editors and [Samuel Taylor](#) and Annie Grier, helpfully summarizes many of the key points. *Smart Decarceration* is a rich resource for those who want to think through the next steps in criminal justice reform.

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