

Changing Public Attitudes toward the Criminal Justice System

SUMMARY OF FINDINGS

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for
The Open Society Institute

SECTION ONE: THE PUBLIC'S CHANGING VIEW OF CRIME

A FUNDAMENTALLY DIFFERENT PERSPECTIVE

Public opinion on crime and criminal justice has undergone a significant transformation over the past few years. Support for long prison sentences as the primary tool in the fight against crime is waning, as most people reject a purely punitive approach to criminal justice. Instead, the public now endorses a balanced, multifaceted solution that focuses on prevention and rehabilitation in concert with other remedies.

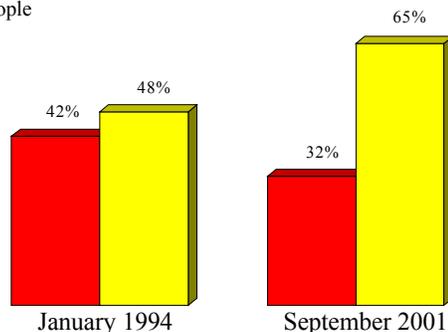
Evidence of this new perspective is visible in three public opinion research findings: (1) more than in the past, the public believes we should be addressing the underlying causes of crime rather than the symptoms of crime; (2) Americans now see prevention as their top priority for fighting crime, far ahead of punishment or enforcement; and (3) Americans are reconsidering the wisdom of harsh prison sentences as the centerpiece of the nation's crime strategy, especially for nonviolent offenders. These are the principal conclusions from two national telephone surveys and six focus groups conducted by Peter D. Hart Research Associates on behalf of the Open Society Institute.

Attack the Causes Not the Symptoms

Public opinion has shifted substantially on the question of whether to take a preemptive approach to crime reduction by addressing the underlying causes of crime, or whether to focus on deterrence through stricter sentencing. In 1994, Americans were divided on this question, when 48% favored addressing the causes of crime and 42% preferred the punitive approach. Since then, there has been significant movement toward the progressive view. The public now favors dealing with the roots of crime over strict sentencing by a two to one margin, 65% to 32%.

Preferred Approach to Crime

- We need a tougher approach to crime with an emphasis on stricter sentencing, capital punishment for more crimes, and fewer paroles for convicted felons
- We need a tougher approach to dealing with the causes of crime with an emphasis on improving job and vocational training, providing family counseling, and increasing the number of neighborhood activity centers for young people



	All	Whites	Blacks	Hisp.	Dems	Inds	Reps
Tougher approach to crime	32	38	15	24	23	32	46
Tougher approach to causes of crime	65	60	82	74	74	65	53

The change since 1994 has primarily come in the attitudes of those groups that traditionally favored a punitive approach to criminal justice. Men, whites, people with less than a college degree, and people age 35 and over were all evenly divided on this question in 1994. Today, solid majorities of all of these groups (and every demographic group) support an approach dealing with the causes of crime. Even self-identified Republicans, who favored punishment and enforcement in 1994, now prefer a more progressive approach.

A question first developed by the Gallup organization confirms the same fundamental shift in attitudes. In 1994, the public was divided between fighting crime by “attacking the social and economic problems that lead to crime through better education and job training” (51%) or by “detering crime by improving law enforcement with more prisons, police, and judges” (42%). In December 2001, we found that the same question now elicits a 66% to 29% majority in favor of attacking the causes of crime.

“In some neighborhoods there is not much invested in the neighborhood itself, whether it's the buildings that are being torn down or jobs. Therefore crime gets easier there, when there aren't places for people to go because people aren't investing there.” – Office manager, Atlanta, GA.

“I believe that strong communities are safe communities.” – Antique dealer, Columbus, OH.

“I think you need a combination of tax incentives from big corporations to invest in poor neighborhoods and you get the personnel, good personnel, which means teachers, social workers, doctors.” – Graphic designer, Atlanta, GA.

Prevention is Nation’s #1 Criminal Justice Goal

Among the various approaches to dealing with crime, Americans express a clear preference for prevention as the best strategy. Indeed, thirty-seven percent believe that prevention should be the highest priority, ahead of punishment (20%), enforcement (19%) and rehabilitation (17%). In combination, prevention and rehabilitation (54%) garner far more support than do the approaches of punishment and enforcement (39%). Significantly, the pre- and post-9/11 results to this question are virtually identical. Additionally, 76% believe that the country currently puts too little emphasis on prevention (just 3% say we focus too heavily on prevention).

Progressive solutions receive strong support among several demographic groups. Hispanics are among the strongest supporters of prevention, while African Americans also place a great deal of emphasis on efforts to rehabilitate prisoners. In fact, African American men rate rehabilitation as their top priority. Education is also a salient factor: college graduates are twice as likely to choose the progressive approaches (65%) over the punitive approaches (30%), whereas those with a high school degree or less are divided in their preference (46% prevent/rehabilitate, 45% enforce/punish).

TOP PRIORITY FOR DEALING WITH CRIME				
	All	Whites	Hispanics	Blacks
Prevention , such as education and youth programs	37%	34%	46%	38%
Rehabilitation , such as education and job training for prisoners	17%	15%	13%	34%
Total prevention/rehabilitation	54%	49%	59%	72%
Punishment , such as longer sentences and more prisons	20%	22%	19%	10%
Enforcement , such as putting more police officers on the streets	19%	20%	19%	15%
Total punishment/enforcement	39%	42%	38%	25%

Americans over 65 years are among those who take a more conservative view of crime (48% prevent/rehabilitate, 43% enforce/punish). Republicans (42%, 50%) put priority on punishment and enforcement, but Independents (55%, 36%) agree with Democrats (62%, 33%) in placing greater emphasis on prevention and rehabilitation.

“It’s always very popular politically to say, ‘I put them away.’ Who wants to deal with a criminal? I don’t want to deal with a criminal. Get them out of my face, put them behind bars. But that doesn’t address the problem. It satisfies my anger, nothing else.” – Retired teacher, Philadelphia, PA.

“I had prevention as the number one [priority] because I think if you do a really good job of prevention the rest will fall in place.” – Homemaker, Columbus, OH.

Preventing crime is clearly the public’s first priority, but that still leaves a question of what to do with people *after* they break the law. Americans answer this question in two ways. First, they support rehabilitation over long prison sentences as the best method of handling offenders. Second, they support alternative punishments, other than prison, for people convicted of nonviolent crimes.

Americans strongly favor rehabilitation and reentry programs over incapacitation as the best method of ensuring public safety. Nearly two-thirds of all Americans (66%) agree that the best way to reduce crime is to rehabilitate prisoners by requiring education and job training so they have the tools to turn away from a life of crime, while just one in three (28%) believe that keeping criminals off the streets through long prison sentences would be the more effective alternative.

This idea has broad-based support, with solid majorities of whites (63% / 31%), fundamentalist Protestants (55% / 36%), and Republicans (55% / 38%) supporting rehabilitation over incapacitation as the best way to reduce crime. Interestingly, the 23% of Americans who report that they or a close family member have been the victim of a violent crime endorse rehabilitation even more strongly than the general public, by a decisive 73% to 21% margin.

The public’s support for rehabilitation over incapacitation is based both on their belief in fairness and on a pragmatic sense of self-interest. Americans understand that most prisoners will be released from jail and re-enter society at some point in their lives. The public worries that if offenders are released from prison with the same skill set and job opportunities that they had before they were incarcerated, it is likely that the former prisoner will have few alternatives other

than resorting to crime to support themselves. And indeed, many former prisoners will have even fewer job options after their release because of their criminal record.

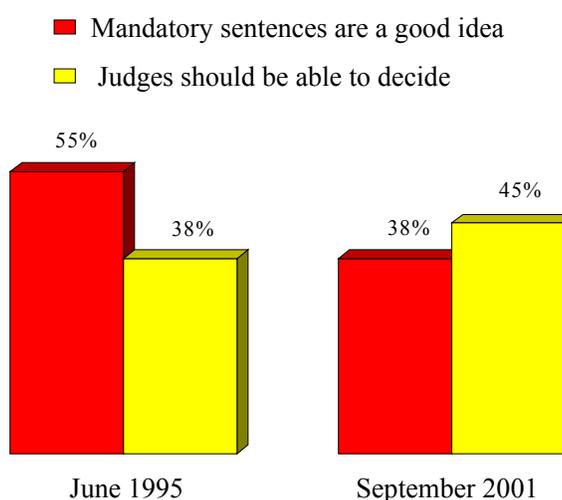
Re-Examining Tough Prison Sentences for Nonviolent Offenders

A final indicator of a paradigm shift in public opinion is that people are now re-considering whether prison is the right solution for many nonviolent offenders. There is a growing recognition that many nonviolent offenders are receiving prison sentences that are counterproductive and unduly harsh. This results in strong support for alternative sentences for nonviolent offenders.

The public is especially supportive of a new approach to drug crimes, a major subset of all nonviolent crimes. By two to one, Americans describe drug abuse as a medical problem that should be handled mainly through counseling and treatment (63%) rather than a serious crime that should be handled mainly by the courts and prison system (31%). The preference for a medical solution to the drug problem extends to some surprising groups: majorities of fundamentalist Protestants (54%) and Republicans (51%) believe that drug abuse is best handled by counseling and treatment, not incarceration.

Public opinion on mandatory sentences has also shifted substantially in recent years. In 1995, a 55% majority said mandatory sentences are a good idea and 38% believed that judges should be able to decide who goes to prison and who doesn't.¹ Today, the results have reversed: a 45% plurality now prefer judicial discretion,

Changing View on Mandatory Sentencing



while 38% believe that mandatory sentences are a good idea. Advocating policies like “Three

¹ Comparison data from 1995 Flanagan/Longmire survey among 1,005 adults.

strikes” was considered a sure political winner in the early- and mid-1990s. Now we find that the public is in a different place, having serious second thoughts about employing harsh, inflexible prison sentences as its primary weapon against crime.

“The number of victimless criminals in prison is just tremendous. I’m not saying prostitution is right or drugs are right, but it seems that there are so many other worse people who are committing more violent acts. You can actually go and make sure that they’re getting a fair trial by clearing out the dockets a little bit and make sure they’re getting the programs here, job training or getting their GED. Putting a victimless criminal in there with other hardened criminals makes them come out as a worse person. Not only do they come out with a rap sheet, it makes it much more difficult to get a job. It just starts stacking against people. So what I think we need to get smart on crime is we need to rethink what is crime and what is not a crime.” – White swing voter, Atlanta, GA.

“All we’re doing is throwing them in jail. I don’t think anybody is getting rehabilitated there. They’re just going in there and biding their time and leaving. To me people, especially the users of drugs, they shouldn’t be in prison. All they’re doing is taking up space. There’s got to be some place to deal just with the drug aspect of it. Keeping them away from the hardened criminals.” – White swing voter, Columbus, OH.

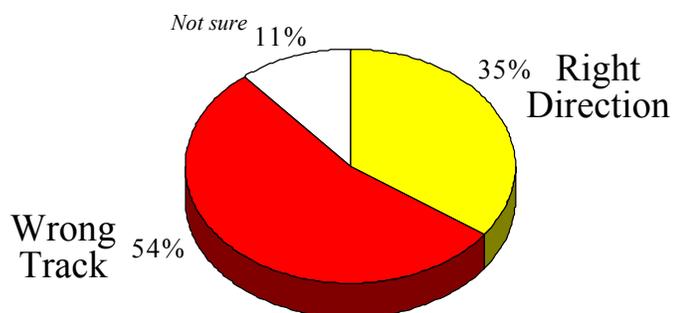
BEHIND THE CHANGING PERSPECTIVE

The key reason that the public has begun staking out a more progressive position on criminal justice issues is that there is widespread agreement that the nation’s existing approach to criminal justice is off-target. In recent years, policy makers have pursued a “tough on crime” strategy that focuses on deterrence and incapacitation through long sentences, in part because they perceive this approach to be the most politically appealing. However, these survey results indicate that the political conventional wisdom misjudges the mood of the voters, who now see the “lock ‘em up” strategy as having failed in crucial respects. Americans now judge the system by whether it prevents people from heading down the wrong track in the first place and whether it rehabilitates offenders who get off-track. So far, the criminal justice system does not receive high marks for achieving these new criteria.

Rejecting the Current Paradigm

In the broadest sense, Americans believe that our country's strategy on crime and criminal justice has failed. A majority of all adults (54%) say the nation's approach to crime is off on the wrong track, while just more than a third (35%) say we are headed in the right direction. There is broad consensus about the failure of the criminal justice system, as majorities or pluralities of most groups assert that our approach to crime is on the wrong track.

View of Nation's Approach to Crime

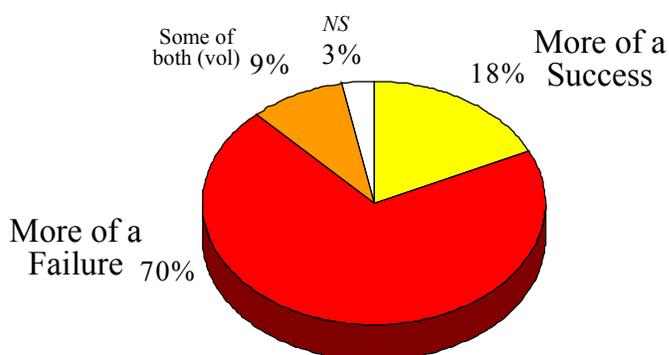


THE NATION'S APPROACH TO CRIME								
	All	Whites	Blacks	Hisp.	Hisp. 18-39	Hisp. 40+	Dems	Reps
Right direction	35	35	29	47	51	38	34	44
Wrong track	54	54	63	42	39	51	55	49

“The system’s broke. People know it’s broke. They don’t know, and there is no kind of conclusion of how to change it yet. But, and that’s the difference, is that you cannot just rely on the balance of justice and say, it works, all we’ve got to do is arrest them, and everything else will be taken care of.” – Public affairs consultant, Columbus, OH.

A collapse of faith in America's war on drugs contributes to the widespread perception that our nation's approach to crime is misguided. Americans are nearly four times more likely to describe the war on drugs as more of a failure (70%) than to say it has been more of a success (18%), and one in ten (9%) believe the drug war has had only mixed results. Americans of all stripes denounce the efficacy of current drug policy—Democrats and Republicans, the young and the elderly, the rich and the poor, all say that our nation's drug strategy has failed.

View of Status of War on Drugs



"I'm totally against drugs myself, but trying to win the war on drugs is just like trying to win the war on prohibition. How in the world can you win a war that your citizens is against? Any kind of tally you want to take on the last twenty years would add up to the drug war is a failure." – Retired auto salesman, Atlanta, GA.

"Particularly in one area, I think we've put too many people in prison for drug related things. You know, if someone is counting the money in a drug den somewhere, they could be put in prison for long periods of time, and I don't think that that has any impact on the drug problem itself, but it does build up the prison population." – Retired teacher, Philadelphia, PA.

Another factor in the public's negative evaluation of America's approach to crime is the belief that the prison system is not rehabilitating offenders. The public judges the criminal justice system on whether it rehabilitates prisoners so they do not commit more crimes after they are released, but does not believe the system is achieving that goal. Fifty-eight percent believe that efforts to rehabilitate prisoners have been unsuccessful, compared to just 34% who believe

existing rehabilitation programs have been successful (only 2% describe these efforts as very successful).

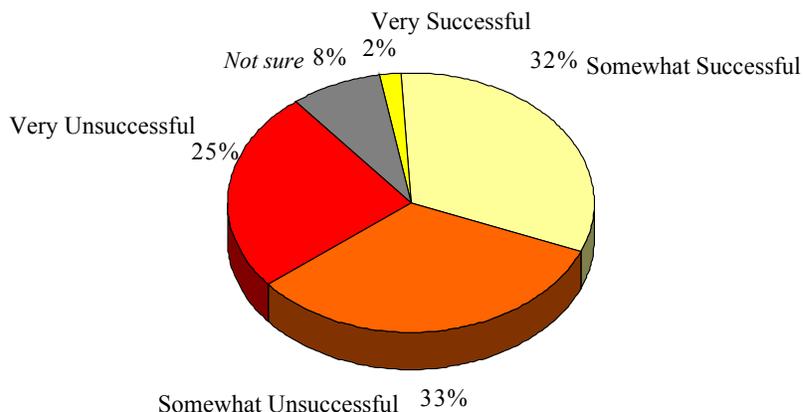
Indeed, both survey respondents and focus group participants strongly believe that today's prisons are no more than "warehouses," providing little or no rehabilitation or reentry programs, that instead simply store criminals for a period of time and then dump them back on the street, no different than when they were first

incarcerated. The idea of simply incapacitating people who commit crimes does not meet the public's standard for dealing with offenders.

"I also think that they're just housing them. You go to jail, you get out. You're not solving the problem. By the time they get out they've just learned more tricks from all the other criminals. They just come out worse." – Purchaser, Atlanta, GA.

"You just sort of hold them in limbo for five, ten, fifteen, twenty years and then put them right back where they started. I mean, we have to, by law, parole them back to the same place that their charges originated from. So we're putting them right back in the same environment. We're putting them right back in the same family problems. We're putting back in the same low employment or distressed neighborhoods with a couple extra strikes against them than they had before they started. I think there should be more of a balance in recognizing that there is the punishment, but at some point we have to live next door to these folks again, and they have to reintegrate. We need to be prepared for that or we're just going to continue to perpetuate a population that goes in and out of prison. And if we're willing to pay for that and be the victims of their crimes, fine, but otherwise we might need to come up with a better idea." – Research analyst, Philadelphia, PA.

Success of Efforts to Rehabilitate Prisoners

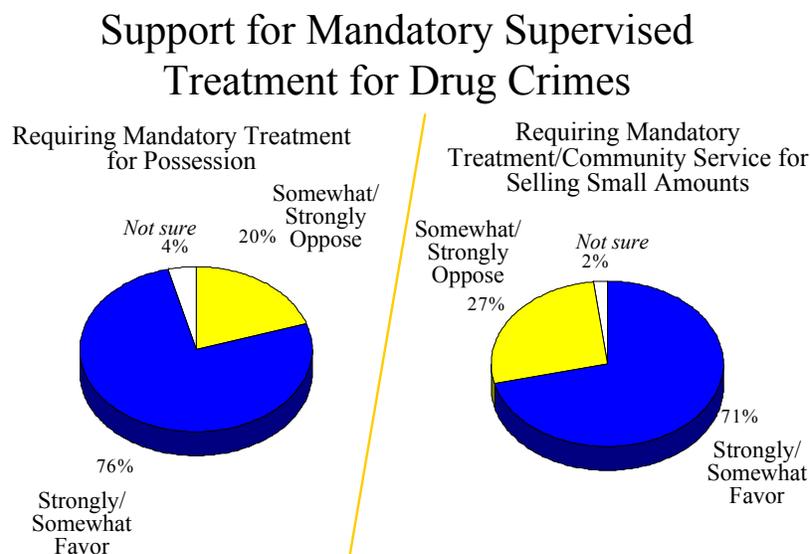


SECTION TWO: THE PUBLIC'S POLICY AGENDA

Following their shifting attitudes on crime, Americans support criminal justice policies that reflect their new perspective. The public's new agenda reflects a common-sense approach to dealing with crime and a rejection of policies that rely exclusively on incapacitation and deterrence. Americans support initiatives that they believe will be most effective at reducing crime and improving public safety, which means seeking a balanced approach that combines prevention, punishment, and rehabilitation.

ALTERNATIVES TO PRISON

There is a broad consensus that the war on drugs has failed and that it is time for a new approach to dealing with drug addiction. Nationwide, three quarters (76%) favor a proposal requiring supervised mandatory drug treatment and community service rather than prison time for people convicted of drug possession. (Note: this policy was passed by California voters as Proposition 36 in 2000.) This progressive approach even extends to minor drug sellers—71% favor a policy that would mandate drug treatment and community service rather than prison for people found guilty of selling small amounts of drugs. Both of these proposals garner support from large majorities of all segments of the population.



“I think there is support for change in the area of alcohol and drug abuse, as it relates to the criminal justice system. I think there’s more acceptance in the general public that treatment is a better alternative than incarceration. It’s got longer range benefits.” – Legislative aide, Columbus, OH.

“Merely being apprehended and possessing a certain amount of drug may [result in] a greater sentence than say burglary or something to that effect. So I think there needs to be some effort to address the disparity in the sentences. And, with that, maybe some more effective counseling treatment, ways to deal with the drug offenders so they’re not just thrown into prison and have them return to the streets later on.” – White swing voter, Philadelphia, PA.

Nearly all Americans support greater use of alternative sentences for two other types of offenders: youth and the mentally ill. Fully 85% support placement of more youthful offenders in community prevention programs that teach job skills, moral values and self-esteem, rather than prison. More than eight in ten (82%) also believe that mentally ill offenders should receive treatment in mental health facilities, instead of serving time in prison.

PERCENT FAVORING ALTERNATIVES TO INCARCERATION									
	All	Men	Women	White	Black	Hisp	Dem	Ind	Rep
Youthful offenders in community prevention programs instead of prison	85	85	85	84	92	83	88	86	82
Place mentally ill offenders in treatment	82	80	84	80	91	88	86	83	78
Supervised community service/probation for non-violent offenders	75	72	76	73	82	79	79	79	66
Non-violent offenders serve prison time in evening/on weekends	73	70	76	72	76	80	81	71	66
Reduce prison sentences for non-violent offenders	63	61	64	60	74	68	70	69	49

More broadly, three-quarters (75%) of all adults favor sentencing nonviolent offenders to supervised community service or probation instead of imprisonment, including 41% who strongly favor this proposal. A similar proportion (73%) approves of sentencing nonviolent offenders to serve prison time in the evening or on weekends so they can keep working at their job during the day (40% strongly support). A majority of Americans (63%) also favors simply reducing prison sentences for people convicted of nonviolent crimes, although support for this measure is considerably weaker: only 26% strongly favor the proposal. There is broad support for all three of these measures.

REFORMING MANDATORY SENTENCING

Perhaps the most surprising finding regarding criminal justice policies is the degree to which the public has now turned against previously-popular mandatory sentences, such as “three strikes” provisions. This is an area that links together the public’s changing perceptions of rehabilitation and drug policies, and reflects the public’s growing doubts about the “lock ‘em up” approach to crime.

Fifty-six percent of adults now favor the elimination of three strikes policies and other mandatory sentencing laws, and instead letting judges choose the appropriate sentence, while just 38% are opposed. Reform receives especially strong support from blacks (64% favor), but also from a majority of whites (54%) and Hispanics (57%). Significantly, majorities of Republicans (51% in favor), independents (56%), and Democrats (60%) all favor elimination of three strikes laws. This represents a substantial shift from the mid-1990s, when a majority of Americans favored the mandatory sentencing approach (for example, 55% said mandatory sentences were “a good idea” in a 1995 Flanagan/Longmire survey).

Public understanding of the role that mandatory sentencing laws play in the imprisonment of non-violent offenders is not universal — 57% of adults are “just somewhat familiar” or “not that familiar” with mandatory sentencing laws — but appears to be growing. Participants in focus groups frequently raise mandatory sentences as an issue without prompting, invariably in a critical way. The public increasingly recognizes that a one-size-fits-all sentencing system results in lengthy sentences that are inappropriate for some offenders (especially those convicted of non-violent crimes).

Eliminating Mandatory Sentences				
	<u>All</u>	<u>Reps</u>	<u>Ind</u>	<u>Dems</u>
Favor	56	51	56	60
Oppose	38	45	35	34

The public has not reached a solid consensus behind repealing mandatory minimums. Nonetheless, support for mandatory minimums has eroded dramatically since the mid-1990s, and Americans are certainly now willing to rethink these policies. Reforming mandatory minimums thus appears to be an emerging opportunity for criminal justice reformers.

“I think when you take discretion away from a judge it’s pretty dangerous. I don’t think that, when you tie a judge’s hands and say, ‘sorry, this is what you have to do,’ then he doesn’t even need to be there. It’s pointless.” – Antique dealer, Columbus, OH.

“I have a problem with saying we’re going to wholesale warehouse all these criminals. I think you’ve got to look at, and I think the judge has to have the latitude to look at the particular offense and the particular person, and what could he do best for that person.” – Teacher, Atlanta, GA.

REHABILITATION AND RE-ENTRY

A failure to rehabilitate prisoners is seen as a major shortcoming of the U.S. prison system. The public believes that the corrections system currently does very little in the way of “correcting” criminal behavior, and that most prisoners are released with the same lack of education and job skills that often leads to crime in the first place. Consequently, there is near unanimous support for expanding rehabilitation and re-entry programs for prisoners that would help them get a job and turn away from crime after they are released. Indeed, education and job training programs for prisoners are the most popular policy proposals tested. Three-quarters of the public favors early release for prisoners who participate in rehabilitation programs and are considered a low risk for further offenses. A smaller majority also favors restoring basic rights to prisoners, such as voting rights or the ability to hold a drivers license, after they have completed their sentence.

“I think it could actually make somebody commit another crime. To restrict them from housing. To hold them back from holding a license. If they’ve supposedly served their time and served their debt to society, some of those [policies] are very punitive. Why would you restrict someone’s right to certain jobs? If they’re qualified they should get the job. If they’re qualified to drive they should be able to drive. And they need housing. If you punish them further it’s just going to push some of them over the top.” – Homemaker, Columbus, OH.

SUPPORT FOR PRISONER REHABILITATION PROGRAMS				
	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose
Requiring prisoners to work and receive job training so that they have job skills when they are released from prison	74	20	2	3
Requiring prisoners to take classes and get an education so that they can find a job when they are released from prison	70	21	3	5
Provide job training and placement to released prisoners	58	30	5	5
Early release for prisoners who participate in rehabilitation programs/low risk for new offenses	42	36	9	8
Restoring the right to vote and a driver’s license to people with felony convictions after they have served their time and are released from prison	34	34	11	15

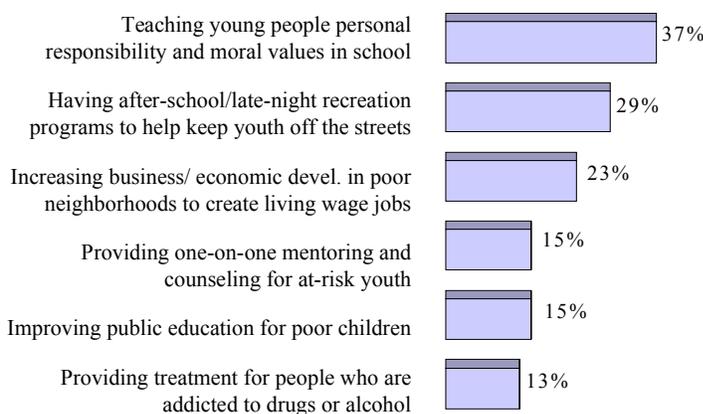
PREVENTION

Americans see prevention as the most important function of the criminal justice system, and also the function that is most sorely lacking. Intuitively, prevention makes the most sense to people—they believe it is more effective, more desirable, and less expensive to keep people, especially youths, from turning to a life of crime than to try to rehabilitate prisoners once they have adopted those habits. Three-quarters (75%) of adults favor reducing spending on prisons and instead spending the money on public schools and community development programs, including a 53% majority *strongly* in favor.

The preventive measure perceived to be most effective at reducing crime is character education -- teaching young people personal responsibility and moral values (37%). The public also strongly supports several other preventive measures, including after-school activities to

Most Effective Steps to Prevent Crime

(% saying step is one or two of the most effective)



keep young people off the streets, and expanding economic development in poor neighborhoods to create more jobs. In fact, several groups rank after-school activities ahead of values education as the best way to prevent crime, including Hispanics (37% after-school activities, 30% values education), 18- to 34-year olds (35%, 28%), and people with incomes less than \$30,000 (36%, 31%).

“Especially with inner city kids or kids that don’t have parental support after school, after-school programs I think should be a top priority. And a lot of these after-school programs don’t get constant funding that they can rely on...they’re always begging for money...Some communities have them. Some don’t. That’s my point. Especially in communities where you need it the most you usually don’t find it.” – Homemaker, Columbus, OH.

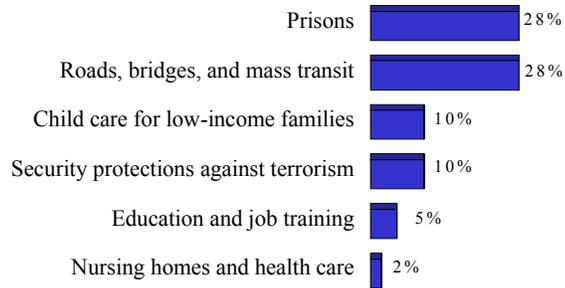
“Responsibility and teaching your children responsibility. I think that has the biggest impact on a child growing up.” – Nurse, Atlanta, GA.

BUDGET SHORTFALLS AND PRISON SPENDING

Reduced tax revenues due to the weakening economy is forcing legislators in many states to make difficult choices in order to balance their states’ budgets. Lawmakers are always reluctant to cut spending on popular programs, but even more hesitant to raise taxes. Given a choice of six budget areas that could be reduced to help states balance the budget, the public places spending on prisons (28%) at the top of their list, tied with transportation. Americans would take

the budget ax to prisons much more quickly than to child care for working families (10%), security against terrorism (10%), education and job training (5%), or health care (2%). Hispanics (37%) and blue-collar workers (37%) are among the strongest supporters of cutbacks in prison spending. And younger adults, age 18-34, are far more supportive of reductions in prison spending (43%) than are older Americans, age 65 and over (16%).

Best Place to Reduce State Spending



Beyond simple across-the-board reductions in prison spending, Americans also support long-term strategies to save money by reducing our reliance on prisons. Indeed, more than three quarters (77%) of all Americans believe that expanding after-school programs and other crime prevention programs would save money in the long run by reducing the need for prisons, and the same proportion agree that state governments can save money by placing nonviolent drug offenders in treatment programs. Despite some demographic variations, large majorities of all groups support both of these approaches to reducing prison spending.

PERCENT AGREEING WITH EACH STATEMENT									
	All	White	Black	Hisp.	Dem	Ind	Rep	18-49	50+
Expanding after-school programs and other crime prevention programs would save money in the long run by reducing the need for prisons	77	75	89	86	86	78	67	83	69
State governments can save money by placing nonviolent drug offenders in treatment programs, which cost less than keeping people in prison	77	75	83	84	87	76	65	81	71

THE IMPACT OF SEPT. 11

American public opinion on crime has changed surprisingly little in the wake of September 11. This study included one survey conducted prior to and another after the terrorist attacks (see methodology description below). After the attacks, Americans' beliefs about the best approach to reducing crime and ensuring public safety had not changed at all, prevention was still the most popular approach, and the public still placed greater emphasis on prevention and rehabilitation than they do on punishment and law enforcement.

TOP PRIORITY FOR DEALING WITH CRIME		
	<u>12/01</u>	<u>9/01</u>
Prevention	39	37
Punishment	21	20
Enforcement	18	19
Rehabilitation	17	17

Furthermore, the public still overwhelmingly believes that the best way to reduce crime and improve public safety is a proactive approach that address the root causes of crime, rather than a deterrent approach that focuses on harsh penalties. The proportion who say we need a tougher approach to dealing with the causes of crime rather than a greater emphasis on stricter sentencing, capital punishment, and fewer paroles was virtually unmoved from before September 11. Likewise, the post-9/11 survey showed that most Americans still believe we should put more money and effort into attacking the social and economic problems that lead to crime through better education and job training rather than focusing on deterring crime by improving law enforcement with more prisons, police, and judges. And Americans continue to favor rehabilitation and reentry programs over incapacitation as the most effective way to ensure public safety.

WHICH STATEMENT COMES CLOSER TO YOUR OWN POINT OF VIEW?		
	<u>12/01</u>	<u>9/01</u>
We need a tougher approach to dealing with the causes of crime with an emphasis on improving job and vocational training, providing family counseling, and increasing the number of neighborhood activity centers for young people	63	65
We need a tougher approach to crime with an emphasis on stricter sentencing, capital punishment for more crimes, and fewer paroles for convicted felons	35	32
More money and effort should go to attacking the social and economic problems that lead to crime through better education and job training	66	68 ²
More money and effort should go to deterring crime by improving law enforcement with more prisons, police, and judges	29	27 ²
The best way to reduce crime is to rehabilitate prisoners by requiring education and job training so that they have the tools to turn away from a life of crime and become productive members of society	68	66
The best way to reduce crime is to give criminals long sentences and keep them in prison where they can't commit more crimes	27	28

Americans' opinions on criminal justice policies, like their underlying attitudes on crime, have changed little since September 11. Specifically, more than seven in ten still believe that mandatory drug treatment and community service is a more appropriate sentence than prison for people found guilty of drug possession. Support for replacing mandatory sentencing with judicial discretion also remains strong. (For more discussion of policy attitudes, see section two.)

PERCENT FAVORING EACH PROPOSAL		
	<u>12/01</u>	<u>9/01</u>
Requiring supervised mandatory drug treatment and community service rather than prison time for people found guilty of drug possession	72	76
Eliminating mandatory sentencing laws, such as the so-called "three strikes and you're out" law, and instead letting judges choose the appropriate sentence	57	56

² Comparative data from September, 2000 Gallup survey.

THE PERSPECTIVE OF CRIME VICTIMS

While organizations representing crime victims often lobby for stricter sentencing laws and other “lock ‘em up” policies, these survey results suggest that crime victims actually have a very different perspective. In the survey, 23% of all adults identified themselves as being a victim of violent crime or having a family member who was a victim. These crime victims are, in fact, more supportive than the public generally of a progressive and balanced approach to criminal justice issues. As the table below shows, victims believe that the top priority should be on preventing crime and rehabilitating prisoners, not on warehousing nonviolent offenders or passing down long prison sentences.

VICTIM OR IMMEDIATE FAMILY MEMBER OF VICTIM OF VIOLENT CRIME		
	<u>Crime Victim</u>	<u>Not Crime Victim</u>
Prevention/rehabilitation is top goal	60	52
Punishment/enforcement top goal	31	41
Best way to reduce crime is to rehabilitate prisoners	73	64
Best way to reduce crime is long sentences	21	31

METHODOLOGY

On behalf of the Open Society Institute, Peter D. Hart Research Associates conducted a multi-phase research project from May through December, 2001. The first phase of the project consisted of a series of six focus groups held in diverse geographic locations — Columbus, OH, Philadelphia, PA, and Atlanta, GA. Four sessions were held with white swing voters, one with political professionals, and one among criminal justice professionals.

Following the focus groups, Hart Research conducted a nationwide telephone survey of 1,056 adults from September 6-17, 2001. The sample included a representative national cross section of 804 adults, plus oversamples of 101 African Americans and 151 Hispanics. The

minority oversamples were weighted to match their incidence in the U.S. population. The survey's overall margin of error is $\pm 3.5\%$, and is higher for specific subgroups.

A large majority of the interviews (863) were conducted before the September 11 terrorist attacks, so the September survey should be understood as essentially a pre-9/11 measure of public opinion. From November 30 through December 2, 2001, Hart Research conducted a shorter follow-up survey among 1,014 adults to assess whether key attitudes toward criminal justice had shifted since September 11. The follow-up survey revealed that there had been little or no movement on questions measuring core criminal justice attitudes, indicating that the findings from the initial survey remain accurate and relevant.