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'Smart' Justice is Based on More Than Just Reducing Costs

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'Smart' Justice is Based on More Than Just Reducing Costs

By **Roberto Hugh Potter**
UCF Forum columnist
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I attended a statewide “justice summit” in December, but left wondering about how some people think we should achieve that.

The gathering was organized by a group that says it was “created to place greater advocacy emphasis on changes to improve public safety while reducing costs to the taxpayers.” Sometimes, however, the least expensive route for protecting citizens may not be the best way to reform “wrongdoers.”

As one of those who have been part of the push to utilize what we now call “evidence-based practice” in the Florida justice system since the late 1970s, I find the emergence of groups like those in attendance both encouraging and curious.

On one hand, these groups promote the use of empirical, scientific research to push for legislative and agency policy and practice. This includes everything from diversion from the justice system for certain types of offenders to the cutting-edge assessment of offenders to link them to effective rehabilitation programs.

On the other hand, there is a tendency to focus only on those scientifically supported outcomes that are consistent with certain agendas. There was a tendency at the conference to confuse evidence-based, replicated results with single-study results that had not withstood attempts to replicate those outcomes in another setting — as long as they supported the desired agenda.

One of the panels at the conference illustrated this when the participants categorically rejected strongly established scientific evidence on offender-risk assessments

Now, this is not unique to any one group. Many groups and individuals continually challenge empirical evidence.

Alas, scientific evidence is utilized by many politically focused individuals to their advantage and the disadvantage of their opponents. I would argue this is a misuse of science, and one all too frequently encountered.

Unlike one of the researchers on the conference agenda, I do not hold that justice policy should be determined solely by scientific research.

Justice, that proverbial sausage, is a mix of basic morality, philosophy, science, and politics. In my not-always-humble opinion, we researchers at universities and in the private sector should be contributors to this process, but we should not seek to dominate the process more than any other citizen or group of citizens.

We in the academy are a resource for justice, and I hope legislators view their public universities as such more often.

Justice is not just about fiscal policy; we can't measure the value of 'justice,' though we can measure the cost of the criminal-justice system. The cost of the criminal-justice system, including juveniles, is immense. Seeking ways to produce justice while reducing the cost of the criminal-justice system would seem to be the balance we are seeking as common ground.

Using scientifically supported, risk-assessment instruments and procedures, we can target specifically the types of behavioral, social, and health interventions that have been shown to reduce the likelihood of re-offending.

This will, over time, reduce the cost of the criminal-justice system by reducing the number of times an individual returns to the process. Combined with proven, effective prevention programs in health, social and behavioral areas, we can reduce the number of individuals entering the criminal justice system in the first place.

The outcomes of this scientifically based approach include not only a higher quality of life for those who engage in and are victimized by crime — often the same people — but also a reduction in the cost of the criminal-justice system to citizens.

The key point is that quality of life may need to be favored over the cost-savings in operating the justice system. It is our hope and belief that improving the quality of our collective social lives will reduce the cost of the justice system, while producing greater justice.

That strikes me as truly “smart justice.”

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