



**Accounting for Violence:
How to Increase Safety and Break
Our Failed Reliance on Mass Incarceration**

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About Common Justice

Common Justice develops and advances solutions to violence that transform the lives of those harmed and foster racial equity without relying on incarceration.

Locally, we operate the first alternative to incarceration and victim service program in the United States to focus on violent felonies in the adult courts. Nationally, we leverage the lessons from our direct service to transform the justice system through partnerships, advocacy, and elevating the experience and power of those most impacted. Rigorous and hopeful, we build practical strategies to hold people accountable for harm, break cycles of violence, and secure safety, healing, and justice for survivors and their communities.

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Confronting the question of violence

The United States faces two distinct but interconnected challenges: violence and mass incarceration.

Ensuring safety is an urgent and essential responsibility of a society and is a core dimension of delivering on the promise of justice. The United States has been remiss in attempts to fulfill that responsibility because of an overreliance on incarceration as the primary pathway to ensuring safety. Substantially reducing violence will require acknowledging the limitations of prisons as a strategy to deliver safety or justice. And ending mass incarceration in America will require taking on the question of violence.

Mass incarceration cannot end violence.

We cannot incarcerate our way out of violence. That is in part because incarceration is an inadequate and often counterproductive tool to transform those who have committed violence or protect those who have been harmed. It is neither the most effective way to change people nor the most effective way to keep people safe. Its standing in society is based largely on its role in protecting people from violence and those who commit it, but as a violence intervention strategy, it fails to deliver the outcomes all people deserve—at great human and financial cost. Increasingly, this message is being sounded not only by justice reformers, but by crime survivors themselves.

Prison is also limited as a tool because incarceration treats violence as a problem of “dangerous” individuals and not as a problem of social context and history. Most violence is not just a matter of individual pathology—it is created. Poverty drives violence.¹ Inequity drives violence.² Lack of opportunity drives violence.³ Shame and isolation drive violence.⁴ And like so many conditions known all too well to public health professionals,

violence itself drives violence.⁵

In the United States, many policies have in fact nurtured violence—by exacerbating the very things that drive it, including poverty, instability, substandard education, and insufficient housing.⁶ For evidence of this pattern one can look to long-standing policies and practices that perpetuate these drivers of violence in communities across the country—communities where people disproportionately live below the poverty line, including parents working multiple jobs whose employment still does not guarantee them a living wage. One can look at massive, growing investments in law enforcement at a time when public education and health care systems are struggling to meet basic needs.⁷ One can look at union busting, food deserts, and predatory lending.⁸ These problems are compounded by limited and broken ideas of “manhood” that equate strength with wealth and violence in places where wealth is almost completely unattainable but violence is an option at every turn.⁹

Not only does incarceration fail to interrupt these drivers, it intensifies them—interrupting people’s education, rendering many homeless upon return from prison, limiting their prospects for employment and a living wage, and disrupting the social fabric that is the strongest protection against harm, even in the face of poverty.¹⁰ On the individual level, violence is driven by shame, isolation, exposure to violence, and an inability to meet one’s economic needs—factors that are also the core features of imprisonment. This means that the core national violence prevention strategy relies on a tool that has as its basis the central drivers of violence.

Nearly all poor communities bear the brunt of policy choices that have nurtured violence. In communities of color, the detrimental impact of these policies is amplified by historical and present injustices. These harms included colonization, continued with slavery and its more proximate counterpart, convict leasing, and persist with the more recent phenomenon of redlining—the practice of refusing loans or insurance to people because they live in areas deemed to be “poor financial risks”—a practice applied almost exclusively in communities of color.¹¹ These institutions and policies were supported by widespread violence, including lynchings, the burning of churches, and mob attacks that rarely met with punishment and often met with the tacit or active sanction of government and police.¹² Exacerbating the divestment from, harm to, and under-protection of communities of color is a concurrent investment in unevenly applied law enforcement—practices rife with disparities from stop-and-frisk all the way through sentencing and parole, which means that at strikingly disproportionate rates, communities of color bear the brunt of the justice system’s failure.¹³

Mass incarceration also fails to solve the problem of violence because it

is a response that treats violence as a matter of “good vs. evil.” The reality is far more complicated. Nearly everyone who commits violence has also survived it, and few have gotten formal support to heal.¹⁴ Although people’s history of victimization in no way excuses the harm they cause, it does implicate our society for not having addressed their pain earlier. And just as people who commit violence are not exempt from victimization, many survivors of violence have complex lives, imperfect histories, and even criminal convictions.¹⁵ But just as it would be wrong to excuse people’s actions simply because they were previously victimized, it is also wrong to ignore someone’s victimization because the person previously broke a law or committed harm in the past. Such a response to violence reinforces the notion that some people deserve to be hurt—the exact thinking about violence that should be uprooted.

We cannot end mass incarceration without tackling violence

Just as we cannot incarcerate our way out of violence, we cannot reform our way out of mass incarceration without taking on the question of violence.

The United States sits at the crest of two rising tides. The recent presidential campaign brought a resurgence of “law and order” rhetoric and calls for harsher punishment. But at the same time (and in some cases, even in the same place), a consensus and growing momentum have emerged to end the nation’s globally unique overreliance on incarceration. This momentum is in response to the stories and evidence demonstrating the devastating effects of jail and prison on people and communities. It is the product of decades of advocacy and organizing efforts—particularly on the part of those most impacted by the criminal justice system—which have commanded new allies and more energetic support in recent years. In 2016 alone, major strides in criminal justice reform were made, including victories like Proposition 57 in California and State Questions 780 and 781 in Oklahoma, which stand to dramatically reduce their state prison populations.¹⁶ Voters elected progressive candidates as local prosecutors and sheriffs in places like Illinois, Florida, Texas, and Arizona—outcomes that would have been unthinkable even five years ago.¹⁷ Although federal policy is influential in setting both law and tone, criminal justice remains largely a state-based and local issue—and often a bipartisan one. So there remains reason to be hopeful.

But there is a problem. As consensus and momentum to end mass incarceration have grown, the current reform narrative, though compelling,

has been based on a fallacy: that the United States can achieve large-scale transformative change (that is, reductions of 50 percent or more) by changing responses to nonviolent offenses. That is impossible in a nation where 53 percent of people incarcerated were convicted of violent crimes.¹⁸ In New York State, for instance, where some of the country's most substantial reductions in incarceration for drug offenses have already occurred, reducing by half either the number of people incarcerated for drug crimes or the time they serve would decrease the prison population by only 1 percent by 2021.¹⁹ Although these types of reforms are essential, the country will not get anywhere close to reducing the number of people incarcerated by 50 percent—or better, to 1970s levels—without taking on the issue that most of these campaigns avoid: the question of violence. It is not just a matter of morality and strategy, though it is both of those things. It is a matter of numbers.²⁰

A new vision for justice

To succeed in the newly emerging political landscape, people committed to reform will have to put forward a clear and resolute vision that includes everyone whose lives are at stake in the justice system's response to violence—one that speaks about violence in its community and historical context and in a way that honors all crime survivors and insists on racial equity.

When efforts to reduce the nation's use of incarceration move beyond a focus on nonviolent crime, they face a wide range of deep-seated and well-known challenges, both political and practical. Such efforts come up against the continued salience of “tough on crime” and “law and order” rhetoric; the limited power of data as a tool to shape public opinion; deep misconceptions about who crime survivors are and what they want; persistent tentativeness of even forward-thinking elected officials to enter this terrain; and the need to develop capacity to foster and demonstrate solutions that can take its place.

But crossing the line and dealing with violence also opens up a range of possibilities not otherwise available—possibilities that will be even more essential in the current political landscape. It allows people to think holistically about the communities profoundly affected by violence and incarceration and not just about small segments of those neighborhoods. It allows people to center the needs of crime survivors in their vision—not tiptoe around them or engage them in a limited instrumental fashion.

And it allows people to envision a justice system that is not just smaller, but truly transformed into the vehicle for accountability, safety, and justice that everyone deserves.

Reclaiming accountability and safety in the service of equity and healing will require that people do the following:

- › Demand and build a country where fewer people are harmed by violence and fewer people are incarcerated.
- › Place regard for human dignity at the center of policies and practices.
- › Prioritize survivors' needs for healing, safety, and justice.
- › Draw on the leadership, expertise, and authority of people most impacted—including crime survivors, those who are or have been incarcerated, and the loved ones of both.
- › Nurture community-led strategies that prevent trauma and violence, create healthy communities, and help foster protection for everyone.
- › Make a commitment to real accountability for violence in a way that is more meaningful and more effective than incarceration.
- › Engage in an honest reckoning with the current and historic role race has played in the use of punishment in the United States.
- › Change the socioeconomic and structural conditions that make violence likely in the first place.
- › Apply ingenuity, practicality, and problem-solving skills to the problem of violence.

The framework offered here points a way forward for taking on the question of violence in larger efforts to end mass incarceration and keep communities safe while upholding fairness and human dignity. It suggests that any policy or practice targeting violence should be **survivor-centered, accountability-based, safety-driven, and racially equitable**. This report outlines what each of these principles means and what they could look like in practice.

However bold the vision presented here, it is not yet complete. This analysis benefited deeply from the thinking of many colleagues and allies, whose partnership, work, and conversations have shaped it profoundly. But there is a long way to go. This paper is not intended to conclude a conversation, but to begin one.

Principle 1: Responses should be survivor-centered

To talk responsibly about violence, it is essential to place the people who survive it at the center. This does not currently happen. Legislators have enacted draconian criminal justice laws in the names of survivors.²¹ Others have drawn on crime victims' stories to motivate sympathy, horror, and outrage. But the one thing rarely done is to ask the full range of survivors what they want.

Many survivors of violence do not report to police

In considering victims' experience of the criminal justice system, it is necessary to begin with their decision whether to engage the system at all. From 2006 to 2010, a full 52 percent of violent victimizations in the United States went unreported.²² Even in the cases of most serious violence, reporting rates were strikingly low; 43 percent of violent crime victimizations in which the victim was injured went unreported, as well as 42 percent of cases involving a weapon.²³ Even 29 percent of cases involving a serious injury (for example, when the victim was knocked unconscious or sustained a broken bone, a gunshot or stab wound, or internal injuries) went unreported to police.²⁴ The reasons victims give for not reporting to law enforcement include a belief that police could not or would not do anything to help; a belief that the crime—even a violent one—was not important enough to report; or, most commonly, a decision to handle the victimization another way, such as reporting it to someone else or addressing it privately.²⁵

Even though people's experience of victimization varies based on their identity and where they live, these reporting patterns hold across demographic groups.²⁶ What is more, these estimates are widely regarded as understating the issue, as they reflect the participation of only those

people reached by (and who decided to engage in) the National Crime Victimization Survey. Those who do not interact with or have access to systems of contact and care—or whose victimization is so minimized that they do not even identify it as such—are not represented in these already strikingly high numbers. When one considers the short- and long-term consequences of unaddressed violence—ranging from physical and emotional pain for people harmed to cycles of violence that result when harm is unaddressed—these rates point to a practical and moral crisis in addressing the needs of crime survivors as well as a substantial challenge to securing public safety.

Survivors make practical decisions about whether to engage law enforcement based in part on whether they believe that doing so will meet their needs for safety and justice. It has been widely documented and debated that these beliefs are based in part on survivors' views of the police. But another factor is likely underestimated: survivors' views of jail and prison. What if the barriers to survivors reporting crime involve a disbelief that the end result of the justice system's involvement—the incarceration of the person responsible—is right or will work? Thus far, debate about the causes of underreporting has focused almost exclusively on whether victims believe police involvement will make a difference. The discussion has not yet examined the degree to which survivors regard incarceration as an effective means of securing justice and safety. If survivors do not believe that incarcerating people who hurt them will result in greater safety or justice, why would they pick up the phone in the first place?

At Common Justice, our decade of working with survivors has led us to what may seem like a counterintuitive understanding: we believe crime victims are among the constituencies with the greatest stake in ending mass incarceration. Why? Most simply, because their safety, well-being, and sometimes even survival depend on the efficacy of responses to violence, and incarceration is a largely ineffective response. Incarceration is inadequate even in the limited number of cases in which it produces some concrete benefit—and it is often devastating to survivors when its impact is directly contrary to the aims of safety, healing, and justice that their lives depend on. Survivors know this. They have paid the price for prison's failure with their pain.

Survivors are rarely heard in the justice system

Even victims who *do* call the police often do not get what they seek

from the justice system. A significant portion of reported crimes do not result in arrest, many arrests do not result in convictions, and the results of convictions—including incarceration—often do not meet victims' needs.²⁷ Victims' voices are almost never heard during this process. Although trial may offer an opportunity for some victims to speak, nearly 95 percent of convictions nationally are arrived at by plea bargain, not trial, so virtually no victims see a day in court.²⁸ Their questions are unanswered, their voices excluded, their input legally not required (with the exception of victim impact statements, which have not been shown to significantly affect sentencing outcomes), and their preferences frequently disregarded.²⁹ Many victims describe their experience of the justice system as fundamentally re-traumatizing; many report being treated with suspicion or hostility; and many report experiencing bias based on their identity.³⁰

Current responses to survivors underrepresent or exclude some groups of people. Young men of color, for instance, are among those groups whose pain and preferences have not been sufficiently heard or heeded in the public conversation about crime and punishment.³¹ (Data collected by the Bureau of Justice Statistics at the U.S. Department of Justice from 1996 through 2007 show that young black men were the most likely to be victimized by violence overall in six of those 11 years.³²) Other survivors whose needs are often inadequately considered include women of color, immigrants, the working poor, people with disabilities, and LGBTQ individuals. Together, these survivors make up a substantial portion of the people harmed in the United States.³³ That said, they make up an exceedingly small minority of the voices lifted up in the public debate about crime and punishment. On a national scale, the understanding of what victims want is artificially monolithic, and because it draws from a nonrepresentative sample of crime victims, it is also largely distorted.

We must understand trauma and remove barriers to healing

The impact of violence on victims extends far beyond the criminal justice system's reach. In addition to physical injury, violence has other lasting physical and emotional consequences for those harmed. Many victims of crime suffer from symptoms of post-traumatic stress.³⁴ The impacts of unaddressed trauma are far-reaching. Exposure to trauma can significantly increase a person's chances of developing a variety of medical conditions such as cardiovascular and endocrine disease.³⁵ Common responses to traumatic experiences—including flashbacks triggered by sounds or

smells, trouble sleeping, a sense of danger even in safe spaces, and panic attacks—can interrupt a student’s education, contribute to disciplinary concerns, and diminish the chance of academic achievement.³⁶ Similarly, exposure to trauma can affect people’s ability to function effectively, do their best at work, or obtain and keep a job.³⁷ And some people who are harmed and do not get well are more likely to commit violence themselves.³⁸ Each of these factors carries not only a human cost, but also a financial one.³⁹ Without effective services and support, these costs have an impact on social-service systems like law enforcement, hospitals, and public aid.

The services and support to help victims come through their pain are often scarce—and they frequently leave out a significant portion of survivors.⁴⁰ A truly survivor-centered response to violence would include the broad availability of mental health treatment, counseling, trauma-informed care, and culturally rooted healing practices, and would emphasize the removal of barriers to accessing these supports. This holds true not only for community-based services, but also for victims compensation—in which the state reimburses survivors for costs such as hospital bills associated with a crime. Despite widespread recognition that many survivors do not believe that engaging law enforcement will make them safer, the law nonetheless requires that victims “cooperate” with law enforcement to receive this help.⁴¹ When that cooperation feels neither safe nor just to victims, they are barred from getting key support to meet their basic needs. Tying compensation and services to cooperation with law enforcement is not a survivor-centered strategy; because it prioritizes the apprehension and punishment of the person who caused the harm over the needs and preferences of the person harmed, it is a distinctly defendant-centered approach to addressing crime.

So what do survivors want?

Crime survivors are often portrayed as irrational. In reality, many survivors are highly pragmatic and often seek precisely the things that will help them heal. Although survivors are not a monolithic group and many people feel conflicted about what they want, they express common themes:

- › *They want answers.* These answers contribute to what the trauma recovery field talks about as the formation of a “coherent narrative”—a story about what happened and why; a story that the survivor can believe, make sense of, find some meaning in, and live with.
- › *They want their voices heard.* An opportunity to express one’s experience and be heard is essential to forming a coherent narrative and having it validated—both core elements of trauma recovery.

- › *They want a sense of control relative to what happened to them.* Trauma is, most fundamentally, an experience of powerlessness. Having experiences that counterbalance the sense of powerlessness with some degree of power and control—including over the story and the response to that harm—can contribute substantially to a survivor’s healing process.
- › *They want the person to repair the harm as well as they possibly can.* It is a basic human desire to want what is broken to be fixed, and to want those who broke it to take responsibility for that repair however possible. That repair greatly aids the healing process for survivors who experience it.
- › *And perhaps most essentially, they don’t want the person to hurt them or anyone else ever again.*⁴²

The fundamental need for safety should not be equated with an appetite for incarceration. Even though incarceration provides some people with a temporary sense of safety from the person who harmed them or satisfies a desire to see someone punished for wrongdoing—or both—many victims find that the incarceration of that person makes them feel less safe.⁴³ For some, this is because they fear others in the community who may be angry with them for their role in securing the responsible person’s punishment. For others, it is because they know the person who harmed them will eventually come home and they do not believe that he or she will be better for having spent time in prison; to the contrary, they often believe that incarceration will make the person worse. Many victims who live in communities where incarceration is common are often dissatisfied with its results.⁴⁴ And even those victims who *do* want the incarceration of those who hurt them are often disappointed by what it delivers in practice.⁴⁵ Many survivors seek incarceration only to find later that it did not make them safe and did not heal them in the way they had anticipated.⁴⁶

Even in the context of what could be described as a four-decade media and public education campaign promoting incarceration, the number of victims who see it as an effective remedy is far smaller than public discourse reflects.⁴⁷ When it comes to punishment, survivors consistently express a desire for options other than incarceration and an interest in them when they are available. Yet the criminal justice system rarely offers alternatives to prison as responses to violence. According to the Downstate Coalition for Crime Victims in New York, “Survivors/victims want the people who harm them to be held meaningfully accountable. Many survivors/victims find the criminal justice system, including incarceration, to be inadequate and/or counterproductive to that end.” What this means in practice is that when the country relies almost exclusively on

incarceration to address serious crime, many survivors lose out.

What is more, survivors' preferences about criminal justice policy are only one part of their larger set of needs and desires—including real hunger for solutions that have nothing to do with punishing the person who hurt them. These priorities include safety, housing, trauma-informed care, fair treatment, prevention, and having a real voice in potential solutions.⁴⁸

One survivor's experience

When Alberto and a group of his friends on the subway threatened Pablo with an illegal weapon in East New York, Brooklyn, neither could imagine how the situation would end. When the case came to Common Justice, Pablo and Alberto were both worried that the original incident, rooted in a long-standing conflict in the neighborhood, would lead to further incidents and losses—possibly even death—for people on both sides. Alberto had been arrested and Pablo had stopped consistently attending school and work to stay home with his family members, whom he believed were at risk.

When Pablo first chose Common Justice, he said, “I’m not afraid of Alberto. He’s not the problem. The problem is the short, loud one and the one with the braids.” Those two young men had not been arrested, and Pablo believed that Alberto’s incarceration would only heighten the tensions he’d had with them. Pablo chose Common Justice because he thought it might finally help put the conflict to rest.

Alberto was required to do a wide range of things by participating in Common Justice, but one agreement was especially important to Pablo: it required Alberto to communicate to his two friends that Pablo and his family should be protected from any violence, threat, or harm. It was not an agreement the court could have required—but as an independent program, Common Justice can reach further into the community to get at the underlying causes of conflict.

Several weeks later, Alberto brought his two friends to Common Justice, and communicated to them in front of staff, “I respect Pablo. And I respect his family. And I expect you to do the same.” He used the leverage of his reputation with his peers to protect Pablo and his family. And it worked.

These views from New York align with national findings. In 2016, the Alliance for Safety and Justice conducted the first national poll of crime survivors that explores their preferences regarding criminal justice policy. The poll found overwhelming support—even higher than among the general public—for rehabilitative programming, alternatives to incarceration, and shorter sentences, as well as greater investments in education, mental health treatment, jobs programs, and drug treatment. Roughly 52 percent of crime victims answered that they “believe that time in prison makes people more likely to commit another crime rather than less likely.”⁴⁹ Perhaps for that reason, 69 percent of victims preferred holding people accountable through options beyond prison, such as rehabilitation, mental health treatment, drug treatment, community supervision, or community service.⁵⁰ The findings are not surprising to people who work closely with crime survivors, but they are entirely contrary to the public and law enforcement narrative about what victims want.

It is crucial to note that survivors' opposition to incarceration is

strongest when other options are present. The survey results described above demonstrate this at a system level (for example, survivors prefer the options of treatment and education to incarceration), but it is also true at an individual level. When prison is the only option available to survivors, many will choose it—if only because choosing “nothing” is unacceptable to them. To truly gauge a survivor’s opinion of prison, the person must be asked not only how it compares to nothing at all, but how it would compare to something else.

Another survivor’s experience

One night, a young man robbed a Spanish immigrant named Federico of his week’s wages while he was on his way home from work. This incident changed everything for Federico. He experienced post-traumatic stress symptoms—he had trouble sleeping, withdrew from his relationship, and could not concentrate on studying for the GED test he had planned to take. He started taking taxis home, spending a huge portion of his small income. He felt afraid while walking on the street. Whenever anyone came up behind him, “even a little old lady,” his mind would race, his heart would race, his stomach would turn, and his whole body would freeze up.

Once Federico was ready, Common Justice staff convened a dialogue with Carl, the man who robbed him. After hours of talking about what happened and its impact on Federico, Carl and the group thought hard about what he could do to make things as right as possible. After agreeing to a number of actions—including apologizing and doing community service—Carl said, “Every man older than me in my family has been in prison. My older brother served a long time and he won the prison boxing league championship. He is the one who taught me how to fight. I showed you the wrong end of that on the street that day. But he is also the one who taught

me how to defend myself, and if you want, I will show you that, too.”

Federico said, “I would love that.” A few months later, supervised by a seasoned martial artist at a local dojo, Carl first stood in the position of a person being held against his will and Federico held him there. Carl demonstrated multiple ways to escape the hold. Then they switched spots. Federico was in the same position he was in the night he was mugged, only this time, as he practiced the techniques Carl taught him with increasing skill, he was repeatedly able to free himself from Carl’s grasp.

The next day Federico called Common Justice’s director and said, “I’m calling to tell you nothing happened.” Confused, she asked, “What?” Federico explained: “Nothing happened. A six-foot-tall man passed me on the street and *nothing happened*.” His mind did not race. His heart did not race. His stomach did not churn. His body did not freeze. Before work, he had gone to Times Square so he could walk by as many people as possible. He looked for the tallest people, the biggest men. As he walked past each one, he told the program director on the phone, “*Nothing!*”

What does “centering” mean?

A survivor-centered system is not a survivor-ruled system. Valuing people does not mean giving them sole and unmitigated control. The criminal justice system maintains a responsibility to safety, justice, and human dignity that it should uphold even when those interests run contrary to survivors’ desires. So if a survivor wants someone free and that person poses a present and demonstrable threat to others, the survivor’s opinion should not outweigh the safety of others. Similarly, when a survivor wants a level of retribution that runs contrary to the values of justice and fairness,

the system does not have an obligation to satisfy the person's desire for punishment. The system's actors do, however, have an obligation to listen to the survivor, be transparent and honest with the person about the decisions they make, and connect the survivor with support.

Reducing violence will require a system that centers on people who survive harm and that reckons honestly with the role prisons do or do not play in delivering safety and healing. None of this requires excluding or minimizing the legitimate perspectives of crime victims who want punishment and retribution; it only requires including other perspectives as well.

Why so many survivors prefer restorative justice

From the perspective of survivors, restorative justice can be among the most satisfying alternatives to prison. Restorative justice practices bring together people most affected by a crime to address the harm, hold the responsible person accountable, and support the well-being of those harmed. Among victims of crime in the United States who have taken part in restorative processes, 80 to 90 percent have reported being satisfied with the process and its results.^a Restorative justice has also been shown to significantly reduce post-traumatic stress symptoms in victims and to substantially reduce recidivism among the people who committed harm.^b

Restorative justice programs exist throughout the world and are delivering powerful results both within the U.S. criminal justice system and outside of it.^c By bringing people who commit harm face-to-face with those affected by their actions and giving survivors a central voice in the process, these programs give those who are responsible an opportunity to acknowledge the impact of their actions and make things as right as possible. As such, they do what prisons typically fail to do: They hold people accountable in a meaningful way.

When victims have the option, many choose this path—even for serious violence. At Common Justice, for example, the vast majority of victims (a full 90 percent) who have been given the choice of seeing the person who harmed them incarcerated

or seeing them take part in an alternate process *have chosen Common Justice*.^d All of these survivors are people who participated in the criminal justice process. They are among the victims who called the police and are part of the even smaller subgroup of those people who continued their engagement through the grand jury process. They are people who initially chose a pathway that led to incarceration. Even among these victims, when another option is present, 90 percent choose something other than that very incarceration they were pursuing. Their decisions point to an essential way of anticipating survivors' needs: What survivors choose when they have only one option does not predict what they will want when multiple options are present.

The narrative that frames survivors as either irrationally vindictive or wildly forgiving excludes the complexity and practicality of the views many of them hold. Although some certainly choose Common Justice out of compassion, most choose out of simple, pragmatic self-interest: They choose to participate in this process because they believe it represents a better chance of meeting their short- and long-term needs for safety and justice and ensuring that others won't experience the kind of suffering they did. And though not all victims will want restorative justice, the strong preference for this process when it is made available means that a survivor-centered approach requires putting the option on the table.

^a Mark S. Umbreit, Robert B. Coates, and Betty Vos, "The Impact of Victim-Offender Mediation: Two Decades of Research," *Federal Probation* 65, no. 3 (2001), 29-35.

^b See Caroline M. Angel, "Crime Victims Meet their Offenders: Testing the Impact of Restorative Justice Conferences on Victims' Post-Traumatic Stress Symptoms" (PhD diss., University of Pennsylvania: 2005), 73-74; Mark S. Umbreit, Robert B. Coates, and Betty Vos, "Victim-Offender Mediation: Three Decades of Practice and Research," *Conflict Resolution Quarterly*, 22, nos. 1-2 (2004), 279-303, <https://perma.cc/M5MY-KS4Z>; and National Council on Crime & Delinquency, *Scaling Restorative Community Conferencing Through a Pay for Success Model: A Feasibility Assessment Report* (Oakland, CA: NCCD, 2015), 9, <https://perma.cc/R75P-HVNZ>

^c Some of the most powerful examples of these programs include Restorative Justice for Oakland Youth and Community Works in Oakland, California; Impact Justice and its partners nationally; the Community Conferencing Center in Baltimore; the Community Justice for Youth Institute in Chicago; and the Insight Prison Project in San Quentin, California.

^d This reflects Common Justice outreach data from February 2009 through November 2016.

Principle 2: Responses should be accountability-based

All too often, people equate punishment and accountability—even though the two are not the same. The result in the United States has been a globally unique and historically unprecedented level of punishment and a gaping lack of meaningful accountability among people who commit harm.

Incarceration can impede accountability

Being punished only requires that people sustain the suffering imposed upon them for their transgression. It is passive. All one has to do to be punished is not escape. It requires neither agency nor dignity, nor does it require work. Being accountable is something else.

Accountability requires five key elements:

- › acknowledging one's responsibility for one's actions;
- › acknowledging the impact of one's actions on others;
- › expressing genuine remorse;
- › taking actions to repair the harm to the degree possible; and
- › no longer committing similar harm.

Accountability requires both agency and dignity—and is often the hardest work a person can do.

There is wide agreement that survivors deserve to have the people who harmed them held accountable to them—and to other people impacted by these crimes. Such a process can help satisfy the moral demands of a culture, facilitate the survivors' healing, and validate that what happened to them is wrong. But accountability is also something that people who commit harm deserve—in the toughest and most generous sense of the word. They deserve to pay in a meaningful and dignified way for what they

have done. They deserve the difficulty of that reckoning, and even the fear and pain it may cause. But they also deserve an opportunity to repair harm that will allow them an avenue out of shame and its associated violence. In holding people accountable—rather than vacillating between extreme punishment and impunity—it becomes possible to satisfy all of those moral demands *and* contribute to the reduction of future violence.

The trouble is that prisons are not designed for accountability. No one in prison is required to face the human impact of what they have done; to come face-to-face with the people whose lives are changed as a result of their decision; to take responsibility for that decision; and to do the extraordinarily hard work of answering for that pain and becoming someone who will not ever commit that harm again. Prisons render that human reckoning nearly impossible. The criminal justice system at once inflicts harms in ways that are inconsistent with human dignity and safety and, at the same time, is structured in a way that excuses people from the obligations that *do* arise from hurting people. The system also denies people who commit harm the opportunity to recuperate their dignity by taking responsibility, transforming their lives, and halting the cycles of violence they are otherwise at great risk of perpetuating.

Some of the societal attachment to prison comes from overestimating the efficacy of punishment as an agent of change. Social psychologists have long noted the ways in which punishment is limited as a method to positively affect behavior. Research shows limited returns from punishment overall, and diminishing returns on both the individual and societal level as such penalties are used more frequently.⁵¹ Similarly, research has shown that many people experience sanctions other than incarceration as equal to or even harder than incarceration.⁵²

It is therefore typically—and incorrectly—assumed that incarceration is the “toughest” response to crime, when in fact some dignified, humane alternatives to prison turn out to be difficult and more effective, perhaps in part because of what they require of the people who participate. This is true of some drug treatment programs that have demonstrably reduced recidivism more effectively than incarceration.⁵³ Although these programs do not subject people to the isolation and indignities of prison, they require participants—whether mandated by the courts or, even better, voluntarily engaged—to go through the enormously challenging work of battling addiction. In New York City, numerous alternatives to incarceration that address a combination of violent and nonviolent crimes have demonstrated better safety outcomes than prison has.⁵⁴ These programs often include education, mental health treatment, community service, and vocational training as ways to help hold people accountable. New interventions for violence can build on the lessons learned from these programs (which

thus far have focused primarily on nonviolent offenses) and from violence intervention efforts that have not yet been deployed as alternatives to prison. Such options stand to be especially valuable in communities with high rates of incarceration. Particularly given the normalization of prison in these communities, any moral force prison may have once had for many people has likely been diluted by its overuse, rendering it less meaningful as an expression of society's contempt for harm.⁵⁵

The use of punishment should never be excessive

None of this is to say that our society is ready to do away with prisons. Although they are limited in efficacy and dehumanizing to those incarcerated there, it would be irresponsible to pretend that the capacity currently exists to safely hold all people accountable in other ways. Even though punishment for punishment's sake runs contrary not only to the demands of accountability but also to survivors' expressed desire for interventions that reduce the likelihood of further harm, that does not mean punishment never has a purpose—nor does it mean that incapacitation has no value in temporarily securing safety in certain situations. Some people at risk of doing more harm will need to be separated from others, but confinement does not require degradation, and prisons around the world demonstrate that it is possible to take people's freedom without also taking their dignity and safety.⁵⁶

Given the limits of incarceration—both its inefficacy and its brutality—a justice system should rely on it in the most parsimonious way possible. The 2014 National Academy of Sciences report on the causes and consequences of incarceration describes such restrained use of prison by maintaining that “any punishment that is more severe than is required to achieve valid and applicable purposes is to that extent morally unjustifiable. It is excessive.”⁵⁷ Crucially, research shows only a limited and disputed link between the length of sentences and an increased deterrent effect—on either the individual or community level. Understanding prison's limitations as a tool will help guard against its excessive use. This begins with relying on diversion and imposing shorter sentences and continues through policies that govern releasing people from prison.

Releasing people from prison is consistent with a commitment to accountability

When prison is used as the means of holding someone accountable, its use should still be bound by parsimony—which means that no one should be incarcerated longer than necessary. Many people who are in prison for violence—despite conditions that make transformation difficult—become people who will not hurt others again. For some, the pathway to this is through reflection and remorse. For others, it is through time—people mature, engage in classes and activities that support them in changing, and get older. It is widely documented that after a certain age, the risk that people will hurt others diminishes vastly.⁵⁸ And the severity of one's crime does not affirmatively predict risk: In fact, people who commit homicide and sex offenses have some of the lowest re-offense rates of anyone returning home from prison.⁵⁹

The limited use of parole throughout the country—so that only a small fraction of eligible people are granted it—also has the detrimental effect of providing disincentives for positive behavior, given that the promise of parole is a primary vehicle in prisons to reward people for engaging in constructive activities and refraining from violence.⁶⁰ Pragmatism, parsimony, and fairness therefore point to the value of providing people with real opportunities for parole based on their actions while incarcerated and a current assessment of their risk to others. Although many parole boards also attempt to gauge subjectively whether someone expresses adequate responsibility for past actions—in addition to objective measures of the person's behavior while incarcerated—it is extraordinarily hard to do so effectively. Even in the context of intimate relationships, it can be hard to tell the degree to which someone truly feels remorse. It is unrealistic to expect a group of strangers in a high-pressure context to make such a nuanced discernment over the course of an hour or two. Similarly, it is also important to have other mechanisms for early release (including “earned” or “good” time and merit time), to further encourage good behavior.⁶¹

In this context it is more fruitful to think about accountability not as a set of feelings, but as a set of actions—as we say at Common Justice, “doing” sorry rather than feeling sorry. Whether in the community or in a prison, accountability as “doing” sorry is reflected not just in one's words, but in what one does. So if people in prison avail themselves of opportunities, do not hurt others, and demonstrate a commitment to positive behavior, they are exhibiting accountability in the best way possible in the context of confinement and should be judged accordingly.

This practice of accountability is substantially strengthened by educational and other programs, where available, that not only give people in prison an opportunity to change, but also allow them to practice accountability through their actions.

People who have transformed are assets to society, which loses the benefit of their contributions when they remain incarcerated. Although practices like early release and parole have rarely been applied equitably, they are meant to account for the fact that people change and that excessive punishment guts the integrity of the system instead of strengthening it. One might therefore think of parsimony as a lever for legitimacy, and legitimacy as a crucial element of a functional justice system.

Individual accountability is not enough: our society also has to take responsibility for structural harm

A truly accountability-based response to violence lets no one off the hook. In addition to raising the standards of accountability for those who have committed harm, this also means recognizing systemic violence and repairing the damage it causes. It means confronting, taking overt responsibility for, and transforming those forms of violence that have occurred historically, persist most forcefully in poor communities and communities of color across the country, and make violence likely in the first place. This includes the police-involved shootings that have garnered so much attention in the public conversation, but it also includes less visible drivers of violence like inequitable housing policy, divestment from education, the unavailability of a living wage, and the lack of mental health services for survivors of trauma. The lessons of accountability are relevant here, too—that the people most affected by a given harm deserve a say in what form the repair should take. This means including crime survivors, formerly incarcerated people, families impacted by violence and incarceration, and others closest to the pain in defining the ways in which our society can address and redress the lasting impact of its choices.

A society is justified in wanting accountability when someone is harmed—not just because it is right, but also because it works.

Accountability stands to change behavior in ways punishment cannot. So there is great reason to be hopeful: as meaningful accountability replaces hollow punishment, we can build systems that deliver on the promise of safety and can expect to see less violence as a result of these responses.

Principle 3: Responses should be safety-driven

Philosophical debates about strategies that are “soft” vs. “tough” on crime may be expedient for politicians, but they do not serve victims and communities. What people affected by violence need is not dogmatism, but a real, pragmatic conversation about what actually produces safety—and a commitment to prioritizing it in policy. Fulfilling that commitment begins with a deeper understanding of what causes, prevents, and interrupts violence.

“Violence” is not monolithic

All too often violence is discussed as a monolithic problem without an appreciation for the context in which it takes place, the people responsible for it, the needs of those harmed by it, the opportunities for intervention, and the long-term impacts of responsive strategies. A domestic violence homicide in a small rural town and a shooting related to an open-air drug market in a large city are not the same—nor are they the same as a robbery and mugging committed by a group of teenagers, a sexual assault committed by someone known to the survivor, or a stabbing that resulted from a long-standing dispute between former friends. Some acts of violence are committed by people who suffer from serious mental illness.⁶² Other violent behavior arises out of addiction.⁶³ Those underlying causes are important because they influence the range of effective interventions. Similarly, practical experience and brain science both demonstrate that adolescents think and behave differently from their adult counterparts—and are more susceptible to change.⁶⁴

Regardless of the type of violence in question, U.S. justice systems typically rely on incarceration as the single blunt instrument in their

toolbox—all without any data-driven indications that it is the tool most likely to secure the short- and long-term safety of the survivors and others who have a stake in the outcome. Rising to the challenge of addressing and reducing violence will require a basis of understanding about who is committing harm, whom they are hurting, what the circumstances and context are, and what consequences each person experiences as a result. Only then will people be able to develop adequate solutions to the problem.

We need to change course to deliver on safety

Relying exclusively on incarceration (or any single tool, for that matter) to address violence and its repercussions is not a morally or practically adequate response, and in fact can be counterproductive. Studies demonstrate that prison can have a criminogenic effect—meaning it is likely to cause, rather than prevent, further crime.⁶⁵ To put it simply, prison is a risk factor for violence. This is especially problematic because virtually all incarcerated people—a full 95 percent—come home.⁶⁶

Securing the safety of survivors and communities affected by violence, including the victims who do not report such crimes, will require developing interventions rooted in the strongest research and practices about the drivers of violence and how to reduce it. This will require the work of criminal justice actors, given that the legitimacy and efficacy of police and prosecutors have enormous implications for the safety and well-being of communities. But violence is not a problem that law enforcement alone can solve. Real solutions will require different leaders and broader thinking. For instance, rather than simply asking, “Who is the worst among us and how do we stop them?,” a public health practitioner or community intervention specialist might instead ask, “Who can we safely manage in our communities—and for those we can’t, how do we develop that capacity?”

The bad news is that there is not yet a single proven model or set of models that can replace the current failing approach to violence. The good news is that there are promising interventions for violence that, given sufficient investments to develop them and others at anywhere near the scale of investments in incarceration, could diminish violence in ways punishment alone never will.⁶⁷ Although there is no uniform opinion in the field about the best way forward, numerous models and programs employ key strategies deserving of rigorous analysis and development.

Some of these interventions include law enforcement as central elements (the National Network for Safe Communities is nationally

recognized in this arena); others are alternatives to incarceration with systematic ties to the courts (Common Justice is among them); and far more are community-based responses to harm, like Cure Violence, which deploys public health workers whose identity and experience give them the credibility to build relationships with people most likely to shoot or be shot and to intervene in violence as it is about to occur.⁶⁸ The community-based Roca programs have produced extraordinary results in their work with street- and gang-involved youth outside of Boston.⁶⁹ The Trauma Recovery Centers in California, notably, have been broadly replicated through funds that came from reducing criminal penalties.⁷⁰ The National Compadres network draws on culturally rooted healing practices to treat survivors of violence to help ensure that they do not pass their pain on to others.⁷¹ The Healing Hurt People program in Philadelphia and Youth ALIVE in Oakland work with people admitted to hospitals to address their pain and prevent retaliatory violence.⁷² Countless other smaller, grassroots, neighborhood-grown programs are led by and for the people most directly impacted by the conditions in their communities.⁷³

Community approaches like these, when adequately supported, hold out a degree of promise that prison never will—in part because they stand to produce stronger results, but also because, unlike prisons, they can reach people law enforcement does not and can engage them voluntarily in change.

It is possible to have less incarceration and more safety

Crucially, the evidence demonstrates that it is possible to reduce violence and reduce incarceration at the same time.⁷⁴ A recent Harvard study documented the phenomenon in New York City, where serious crime fell by 58 percent from 1994 to 2014, while at the same time the combined jail and prison incarceration rate was cut by 55 percent.⁷⁵ According to the report, this concurrent reduction was the result of a variety of decentralized changes, including advocacy and organizing campaigns focused on reducing penalties for drug-related offenses, strategic investments in alternative to incarceration programs, and changes in attitudes among everyone from police officials to policymakers, judges to corrections staff, prosecutors, and the public. This shift was reflected in the New York Police Department's changed approach to arrests (particularly in drug enforcement) and in the way "New York's judges, prosecutors, and probation officials made less use of prison, jail, and probation, while increasing the use of pretrial release, dismissals, fines, and conditional and unconditional discharges."⁷⁶

The study belies the long-standing belief that giving up prison means accepting more violence. The reverse has been true in New York City (and because people from the city make up such a substantial portion of those incarcerated statewide, in New York State as a whole). Although scholars will debate whether the two reductions were causally related, no one can argue the overwhelming evidence that they were compatible—that violence and incarceration can decrease at the same time.

The role of prosecutors

Prosecutors' discretion can have a greater impact on incarceration rates than almost any legislative reform. In fact, prosecutors in New York City started exercising their discretion to enable people to enter drug treatment instead of prison—years before the reforms to the 1973 Rockefeller drug laws made that practice law.⁹

Currently, the public typically measures a prosecutor's success—whether an elected district attorney or an entry-level assistant district attorney—by the number and severity of convictions and sentences he or she secures. Prosecutors' practices will change substantially only if they define success differently—and if their constituents join them in doing so. This includes prioritizing more nuanced results like fairness, parsimony, and safety over the blunt outputs of lengthy sentences.

Prosecutors who are working to truly serve their constituents who are most impacted by violence recognize that long sentences do not always produce safety and sometimes even run contrary to that goal. These prosecutors, then, will forgo the harshest punishment they can secure in favor of the fairest and most effective one. They will rely heavily on proven alternative to incarceration programs, will favor probation over prison sentences when it is safe to do so, will respond to victims' requests for restorative justice processes, will support measures to meet young adults with developmentally appropriate interventions, and will not always seek the maximum penalty. When they reorient their standard practice in this way, these prosecutors can play a leading role in ending the overuse of incarceration as a response to violence.

⁹ Greene and Schiraldi, 2016, 26.

We need greater understanding and stronger evidence

Breaking a near-exclusive reliance on prison as a tool to achieve safety will require developing deeper understanding—and more robust evidence—about what truly makes communities safer. Despite a great deal of research in this area, much more is needed, including studies that will help develop a stronger understanding of underreporting of crime and its link to communities' lack of faith in mass incarceration. The criminal justice field would benefit from studies that debunk predictive models that characterize large numbers of people as irreparably damaged, dangerous, or both—and replace them with other forms of analysis. Researchers can also help to integrate a focus on gender in conversations about violence, including fostering better understanding of effective responses to gender-based violence, integrating an understanding of LGBTQI people's experiences into their analysis, and exploring the ways negative and narrow conceptions of masculinity contribute to harm. In

addition, research can generate insight about different types of violence and the interventions to which they are susceptible; analyze incarceration's criminogenic effects; and understand why some people succeed in breaking cycles of violence.

We must address violence at its root

Although it is essential to change responses to individuals who commit violence or are at risk of doing so, violence is never only about individual factors; it is also systemic and historical. To be successful, prevention efforts—primary, secondary, and tertiary—should therefore incorporate strategies to address the structural inequities that drive and constrain individual behavior. Interventions that invert these drivers of violence can do more to ensure safety than the punishment of any single individual—or group of individuals—ever will.

Principle 4: Responses should be racially equitable

The stories of violence and incarceration in the United States are inseparable from the stories of race and racism. Enacting the first three principles outlined above—centering survivors, fostering accountability, and increasing safety—will both support and require larger efforts to end racial inequity. Racial equity is not a stand-alone concept, then, but rather a foundational basis for all reform efforts.

In that context, the aspirations of an equitable criminal justice system can be distilled to something along these lines: Everyone gets a fair shot in the first place; everyone gets a fair shake when they have done wrong; no one who causes harm gets off the hook; and society tries to keep everyone safe.

Punishment is meted out inequitably

The reality is that the United States is nowhere near achieving that seemingly straightforward vision. When it comes to a fair shot, inequities that begin as early as birth have a profound impact on people's chances of committing and surviving violence. As described above, the conditions in many communities make experiencing harm almost inevitable

and receiving adequate support for healing nearly impossible. This is compounded by the debilitating combination of social conditions, unhealed pain, and individual choices that lead to cycles of violence. These conditions are not—and have never been—distributed equally across race, as people of color are far more likely to live at the intersection of structural inequity, poverty, and disenfranchisement that diminishes their access to necessary supports: roughly 39 percent of black children, for instance, live in poverty, as compared to 14 percent of white children.⁷⁷ A young black boy born today has a 1 in 3 chance of being incarcerated in his lifetime—compared to the 1 in 17 chance of his white counterparts.⁷⁸

As for a fair shake, once people are involved in the criminal justice system, racial disparities are rampant from start to finish and are reinforced by the media, which overrepresent people of color as responsible for crime and underrepresent them as victims.⁷⁹ These disparities have been documented at every decision point in the process, including arrests, charging decisions, plea offers, sentences, and parole.⁸⁰ The cumulative impact of these disparities is stunning: Black people in the United States are six times more likely to be incarcerated than white people are, and despite making up only a quarter of the population, black and Latino people together account for a full 58 percent of those incarcerated.⁸¹ As scholars like Michelle Alexander have argued, these disparities have been baked into the justice system from the start, and have their proximate lineage in the convict leasing practices of the late-19th and early-20th centuries, and in slavery before that.⁸²

Many people are still let off the hook

The flip side of extreme punishment is impunity, and despite the extraordinarily high rates at which the United States incarcerates its residents, many people are never held accountable for their actions. Low levels of crime reporting mean that many people are never caught for the harm they commit. Nationally, the homicide clearance rate in 2013 was only 64 percent, and in some neighborhoods, including many low-income communities of color, the percentage of homicides that are solved and successfully prosecuted is far lower.⁸³ Wealthy white people consistently fare better in court—and this includes having the means to prove their innocence when they have done no wrong, but also can include being acquitted of charges or facing lesser penalties for crimes they almost certainly committed.⁸⁴ What is more, system actors are rarely held accountable for misconduct or violence. This is perhaps most strikingly visible in the cases of police shootings in this country, prompting demands for accountability in a context in which officers rarely see criminal

consequences for their actions, even when their fatal uses of force are regarded as excessive or unjustified.⁸⁵

Access to safety is unequal

Current approaches to prevent violence fail to keep people equally safe. The rates at which people of color—including young men—experience violence are the result of current and historic policies in their communities that have made safety a privilege available to the few. Scholars have argued that “the history of black America is an unbroken story about the power of the state always being used to control and to harm,” and that the over-policing of some crimes (such as drug possession) coincides with under-policing of serious crimes including homicide—so that black communities are over-punished, but also fundamentally under-protected.⁸⁶

Any path to creating racial equity will reject extreme and disproportionate punishment—and will foster prevention efforts, community infrastructure, and the resources to help people heal and thrive. What is more, advancing racial equity is in itself a violence reduction strategy, as it has been widely documented that it is not simple poverty or lack of opportunity but *inequity* that drives crime and violence. We should therefore consider grappling with and addressing our history and present realities of racial oppression as a potentially transformative evidence-informed strategy to reduce violence.

White people are insulated from racism, but not from violence or mass incarceration

It is critical to note that the racial inequities in the criminal justice system have by no means guaranteed safety or justice to white people in this country. Although for the most part white people have a greater expectation of access to and fairness in the justice system, they are not insulated from its detrimental impacts. White people make up 39 percent of those incarcerated—close to one million people on any given day.⁸⁷ And poor white communities across the country suffer from the traumatic interplay of violence and poverty. The fact that the criminal justice system is racially inequitable and has roots in a history of structural racism has never meant that white people have been fully protected from its damaging effects. In Ohio, for instance, in 2013, white people represented the fastest growing group of people entering prisons; 80 percent of women entering prisons in Ohio that year were white.⁸⁸ So although white people may be

insulated from the widely documented racial biases that plague the justice system, they are not immune from its exponential expansion over the past four decades. And like anyone else, they are affected by the divestment in the social-service infrastructure—including the schools, hospitals, and roads in their towns—that many contend is at least partially the result of the national prioritization of prison.⁸⁹

The vision in practice

One commonly known fact is rarely reflected in criminal justice policy: people change. Kids mature. Survivors heal. People who commit violence evolve and grow. And our country can learn from experience and can change too.

The course we are on is failing to account for violence, but it is not irreversible. It is not too late to make choices that will begin to correct the failures of mass incarceration *and* reduce violence. Some of this will require a shift in culture and values, and some will require a shift in policy. The policy levers to get there include the following:

- › developing alternatives to prison that can be demonstrated to work and that are survivor-centered, accountability-based, safety-driven, and racially equitable;
- › reducing both minimum and maximum sentences for violent crime;
- › calling on prosecutors and judges to use their discretion to rely on incarceration as a last resort, constrained by values of fairness and parsimony and only to the degree necessary to ensure safety;
- › eliminating mandatory-minimum sentences, including “three strikes” laws, to allow the justice system to respond to the facts of a case and the human beings standing before them;
- › reclassifying certain lower-level felonies as misdemeanors, particularly for crimes labeled “violent” that do not involve significant harm to others;
- › treating young adults like juveniles rather than adults, especially with regard to giving them opportunities to avoid the long-term consequences of a permanent criminal record.
- › expanding the use of parole and “good time” to incentivize change and reduce the unnecessary use of prisons; and
- › insisting on policing practices that truly produce fairness and safety.

Because part of the problem is an overreliance on the criminal justice system to address broad social ills, reducing violence will also require changes in practices outside of the criminal justice system, including the following:

- › investing in the social-service infrastructure that reduces the likelihood of violence in the first place, including schools, housing, jobs, health care, mental health treatment, and after-school programs for young people;
- › expanding the range of services available to victims of crime, including services that do not include engaging law enforcement as a prerequisite for care; and
- › expanding the use of public health strategies to address violence, including models that rely on “credible messengers” to address violence where and when it is likely to occur.

Conclusion

The United States will not solve the problem of violence by relying on prison to do so. And the country will not succeed in breaking its reliance on incarceration by parsing the deserving from the undeserving or by dodging the hardest questions, including what to do to address serious harm. As we face new challenges to reforming the criminal justice system, this is not the time to compromise our values. It is time to put those values more powerfully and visibly into practice than ever before. That means answering to crime survivors. It means taking accountability seriously. It means being relentless in prioritizing safety over politics. And it means insisting that every advance we make also advances racial equity. When we do that, the end of mass incarceration will be within reach, as will the safety and justice everyone deserves.

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