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By [German Lopez](#)

Good morning. The midterm election debates on crime have overlooked a success of criminal justice reform efforts.



Larry Krasner, the Philadelphia district attorney. Michelle Gustafson for The New York Times

Seeking balance

Republican lawmakers up for re-election in Pennsylvania [filed articles of impeachment](#) last week against Philadelphia's progressive district attorney, saying that he was responsible for an increase in crime. In the state's Senate race, the Republican nominee, Mehmet Oz, [has attacked](#) his opponent, John Fetterman, for encouraging state officials to release more prisoners.

The Republicans' approach in Pennsylvania reflects their party's embrace of crime as a top issue in many midterm elections. Republicans have demanded solutions to [crime increases](#), and they have criticized Democrats for supporting major changes to criminal justice policy in recent years, claiming that they fueled swelling crime rates.

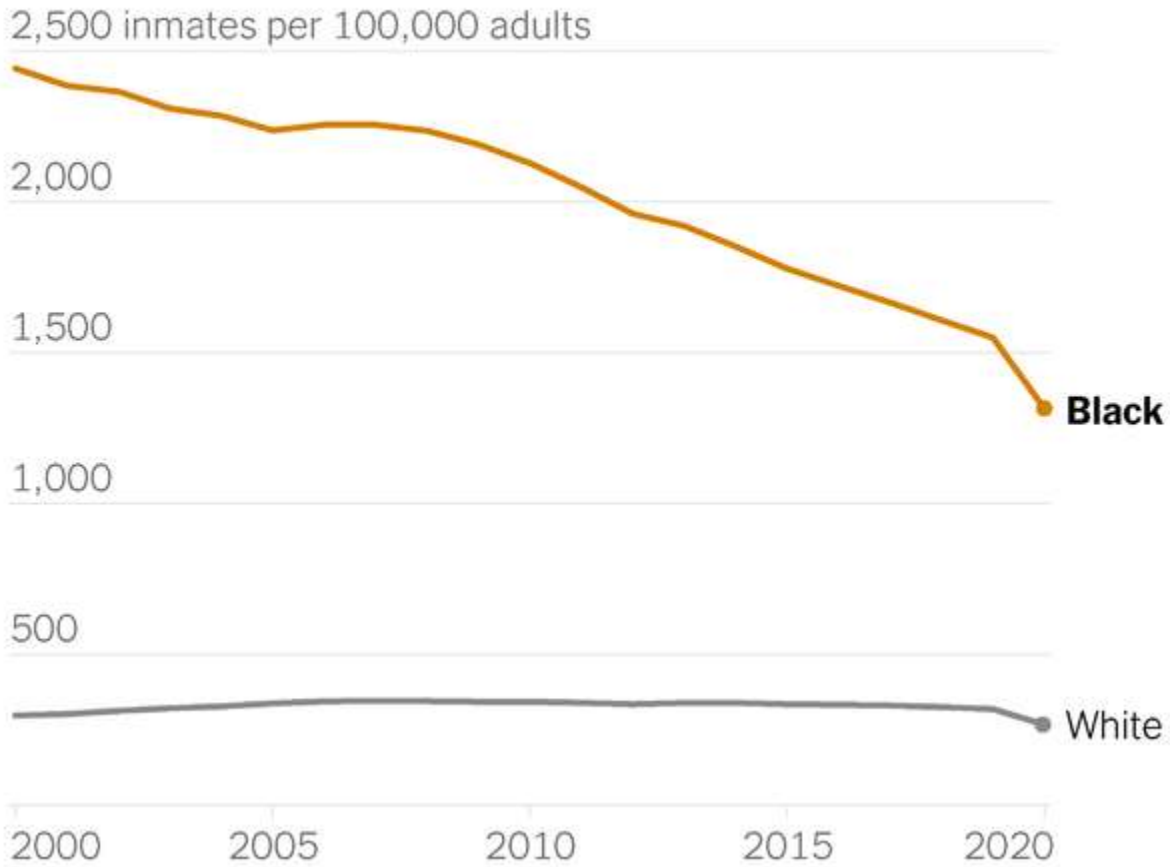
As is typical in political campaigns, nuance is getting lost. Critics of the reform efforts have distorted the picture; no statistical link exists between, for example, [progressive prosecutors and crime](#). Yet many Democrats, wary of being labeled weak on the issue, have remained quiet or criticized even successful changes to the legal system.

And there have been achievements. Understanding them can give you a fuller grasp of crime in the U.S. right now than you might hear in debates or television ads in the run-up to next week's elections.

I want to explain one such shift that has gotten little attention: Slowly, the American criminal justice system has become more equitable. The racial gap among inmates in state prisons has fallen 40 percent since 2000, fueled by a large decrease in Black imprisonment rates, according to a [new report](#) by the Council on Criminal Justice, a think tank.

Finding the right balance between public safety and human dignity animated many of the criminal justice policies enacted in the U.S. over the past couple of decades. The decline in racial disparities is a remarkable reversal of policies now widely seen as unfairly punishing Black people. "It's a tremendous drop," said Thaddeus Johnson, one of the report's authors.

Imprisonment rates in the U.S.



Source: Council on Criminal Justice, National Prisoner Statistics

A closing gap

Why did inequities in prison rates shrink? The decrease was the result of a decades-long effort to reduce what critics call mass incarceration.

That is their term for the harsher sentencing laws passed in response to a crime increase that began in the 1960s, which made the U.S. one of the world's biggest incarcerators. Black communities were disproportionately affected and in some cases targeted by law enforcement, as the Justice Department has found in Ferguson, Mo., in Baltimore and elsewhere. By 2000, Black adults were locked up in state prisons at 8.2 times the rate of white Americans, after accounting for population.

Eventually, the high costs of incarceration and the racial disparities prompted activists from across the political spectrum to push for a rollback of the toughest punishments. Bit by bit, lawmakers obliged, reducing penalties mainly for nonviolent crimes.

As those changes took effect, incarceration rates dropped. Since Black Americans were more likely to be imprisoned, they benefited the most. Rates of arrest and imprisonment for Black Americans fell sharply, the Council on Criminal Justice analysis found. White arrests also fell, but by less. And the rate of white offenders being sent to prison actually increased.

Limits to reform

Racial gaps remain in the justice system. Black adults are imprisoned at 4.9 times the rate of white adults. Black people, on average, spend more time in prison — an imbalance that is growing.

The trends expose the limits of sentencing policy changes so far. State facilities hold around 90 percent of U.S. prisoners, and most of those inmates are in for violent offenses. So a majority of American prisoners see little, if any, benefit from leniency focused on nonviolent crime.

The remaining racial gaps in imprisonment are not solely driven by racial bias in enforcement, but also by higher crime rates in Black communities, the Council on Criminal Justice concluded. “It’s not that Black communities are broken or that Black people are more inherently violent,” Johnson said. But long-term neglect of Black communities has led to social and economic imbalances. And violent offending, Johnson argued, “is the nexus where all the other disparities, all the other gaps” [meet](#).

Those problems go beyond the scope of the changes to the criminal justice system so far. But the midterm campaigns suggest there may not be an appetite for doing more, despite the strides toward equity.