2025

ADDRESSING VIOLENT CRIME

A Guide to Advancing Community Safety

ALEC

TABLE OF CONTENTS

ABOUT THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL

The Addressing Violent Crime report was published by the American Legislative Exchange Council (ALEC) as part of its mission to discuss, develop, and disseminate model public policies that expand free markets, promote economic growth, limit the size of government, and preserve individual liberty. ALEC is the nation's largest nonpartisan, voluntary membership organization of state legislators, with more than 2,000 members across the nation. ALEC is governed by a Board of Directors of state legislators. ALEC is classified by the Internal Revenue Service as a 501(c)(3) nonprofit, public policy and educational organization. Individuals, philanthropic foundations, businesses, and associations are eligible to support the work of ALEC through tax-deductible gifts.

About the ALEC Judiciary Task Force

Members of the Judiciary Task Force advance solutions that refocus criminal justice resources on dangerous individuals and put the right programs in place to hold those who commit nonviolent offenses accountable while providing them with the resources they need to reenter society successfully. The Judiciary Task Force focuses on law enforcement support mechanisms, providing transparency in criminal justice data, corrections and reentry, pretrial release, overcriminalization, sentencing reform, and accountability within the criminal justice system.

Managing Editors:

Jonathan Williams

President & Chief Economist
American Legislative Exchange Council

Lee Schalk

Senior Vice President, Policy
American Legislative Exchange Council

Christian Whittle

Editor and Research Director
American Legislative Exchange Council

Author:

Nino Marchese

Director
Judiciary Task Force
American Legislative Exchange Council

Acknowledgements and Disclaimers

The authors wish to thank ALEC CEO Lisa B. Nelson and the professional staff at ALEC for their valuable assistance with this project.

Contact Information

American Legislative Exchange Council

2733 Crystal Drive, Suite 1000
Arlington, VA 22202
Tel: (703) 373 0933

www.alec.org

INTRODUCTION

To protect our communities, targeting and reducing violent crime in effective and responsible ways is critical to increasing public safety. While legislators may be eager to adopt so-called, "tough-on-crime" measures, lasting public safety depends on long-term, data-driven approaches which target violent crime. Policies should provide tailored support systems to law enforcement and civilians to not only prevent crime in the short term, but more importantly, prevent long-term crime cycles.

CRIMINAL ACTIVITY IN THE U.S.

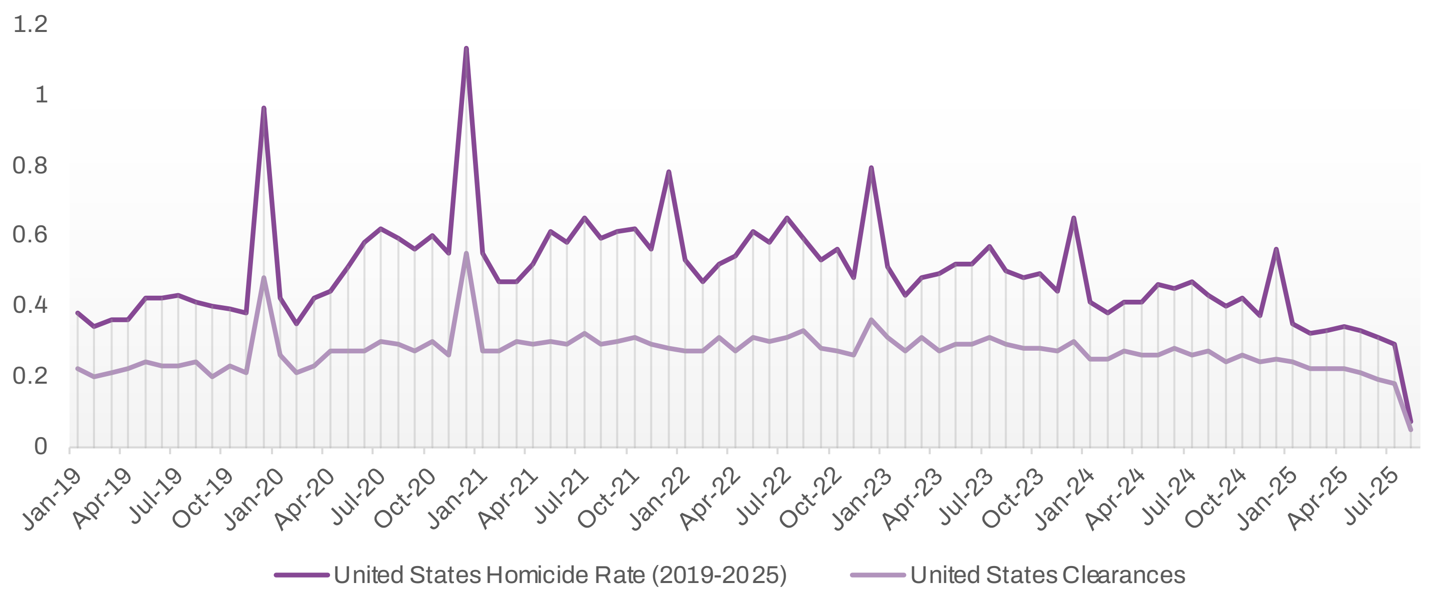
The latest, long-term national crime rate increases in the U.S. came in the wake of the COVID-19 pandemic more than five years ago. This caused a drastic shift in crime trends and patterns that have remained mostly consistent throughout the past 10 to 15 years prior to the pandemic. From 2019 to 2020, the U.S. experienced a roughly 30% increase in homicides—the largest single yearly increase in U.S. history. A 27-city study revealed a 44% increase in homicides from 2019 to 2021. Carjackings quadrupled in Philadelphia from 2019 to 2021, while similar rates were seen in New Orleans, Washington, D.C., and Chicago. Motor vehicle theft rose 59% from 2019 to 2022, with similar spikes (rapid and dramatic, yet short-lived outlier increases) in robberies, nonresidential burglaries, and larcenies. Rural areas also experienced a 25% rate increase in similar crimes in 2020. Fortunately, many of the most alarming crime trends are beginning to, or already have, subsided.

Pre-Pandemic through 2024

FBI Crime Data Explorer statistics illustrate the following crime trends in the United States pre-2025:

HOMICIDE rates gradually increased from 2019 to 2023, with major spikes occurring in December 2019, 2020, and 2021. There has been a notable gradual decrease in rates occurring since 2023, with the 2023 and 2024 crime spikes peaking at levels drastically lower than those of prior years, similar to spikes seen before 2019.

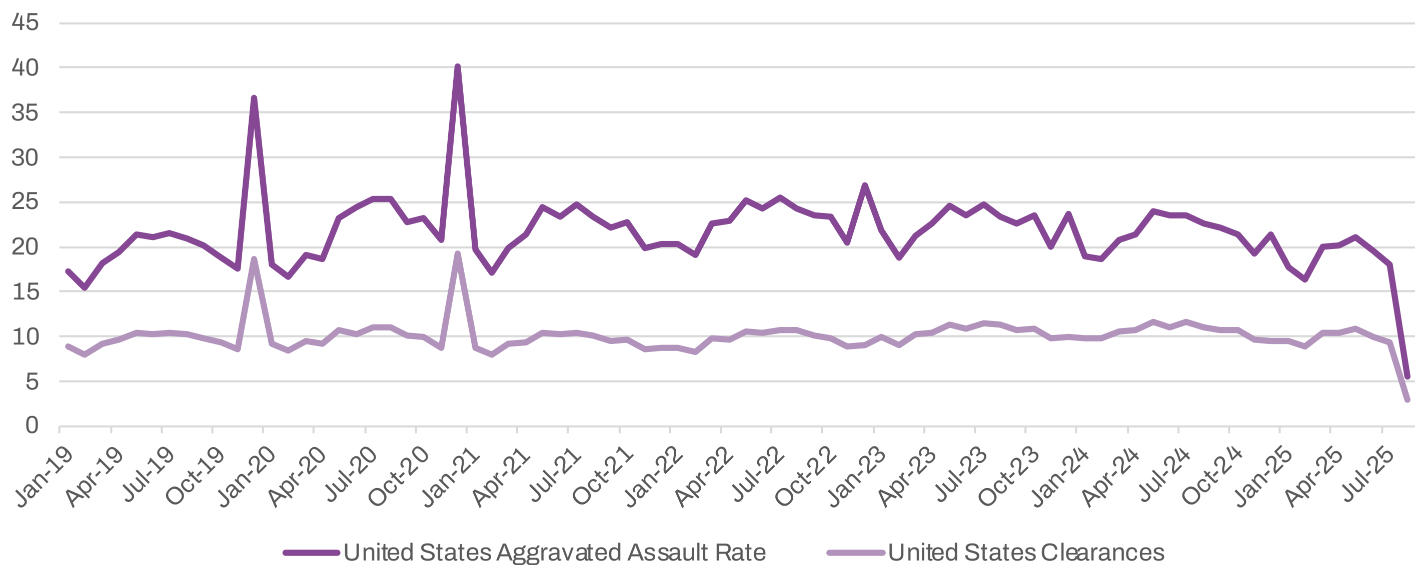
Figure 1: Homicides Reported by Population



Rate per 100,000 people
Source: FBI Crime Data

AGGRAVATED ASSAULTS have since 2021 generally hovered between 60,000 and 85,000 incidents monthly, with the last major crime spike occurring in December 2020.

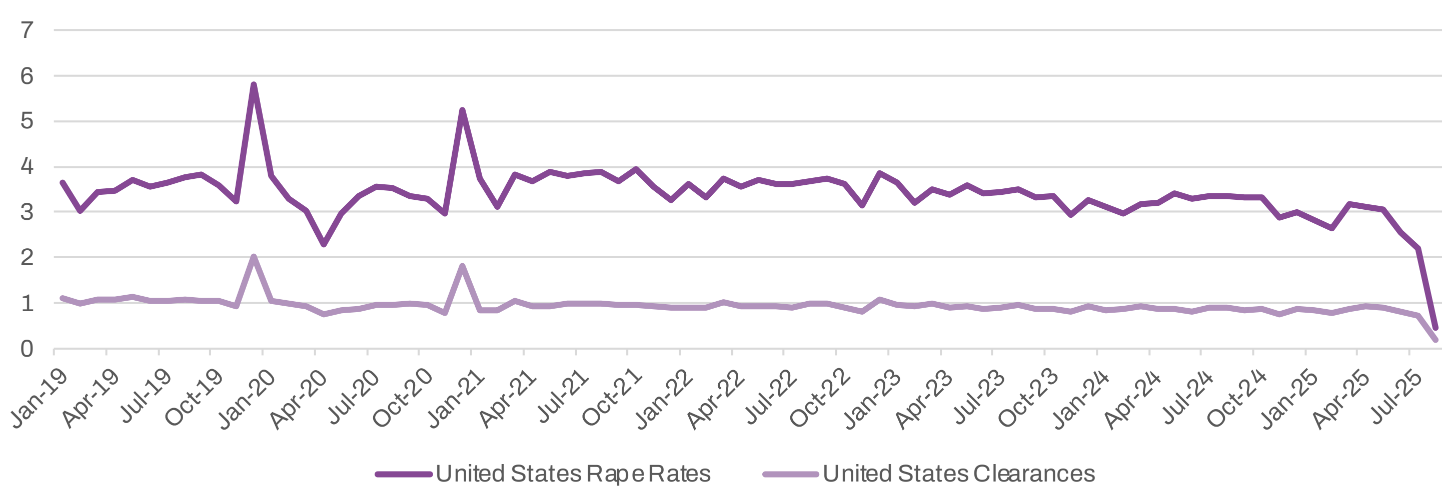
Figure 2: Aggravated Assaults Reported by Population



Rate per 100,000 people
Source: [FBI Crime Data]

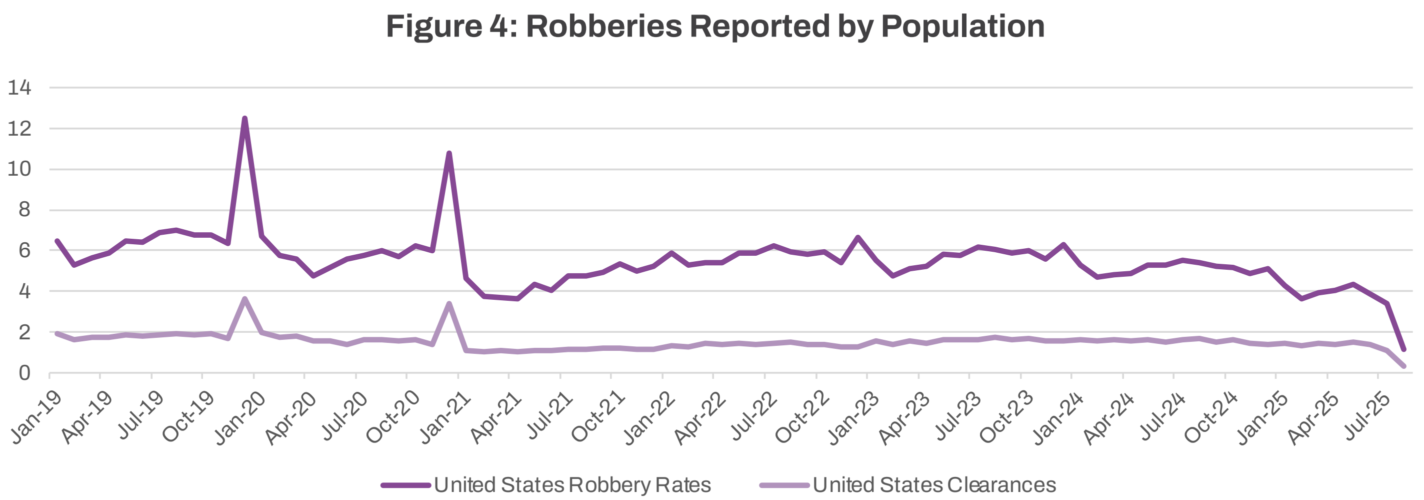
RAPE INCIDENTS have slowly trended upwards from 2021 to 2023, fluctuating between 9,000 and 12,000 incidents per month. Rates have slowly yet consistently subsided since 2023, with no spikes since December 2021. December 2024 rates were at a level lower than any of the lowest points seen from 2017 to 2020.

Figure 3: Rape Incidents Reported by Population



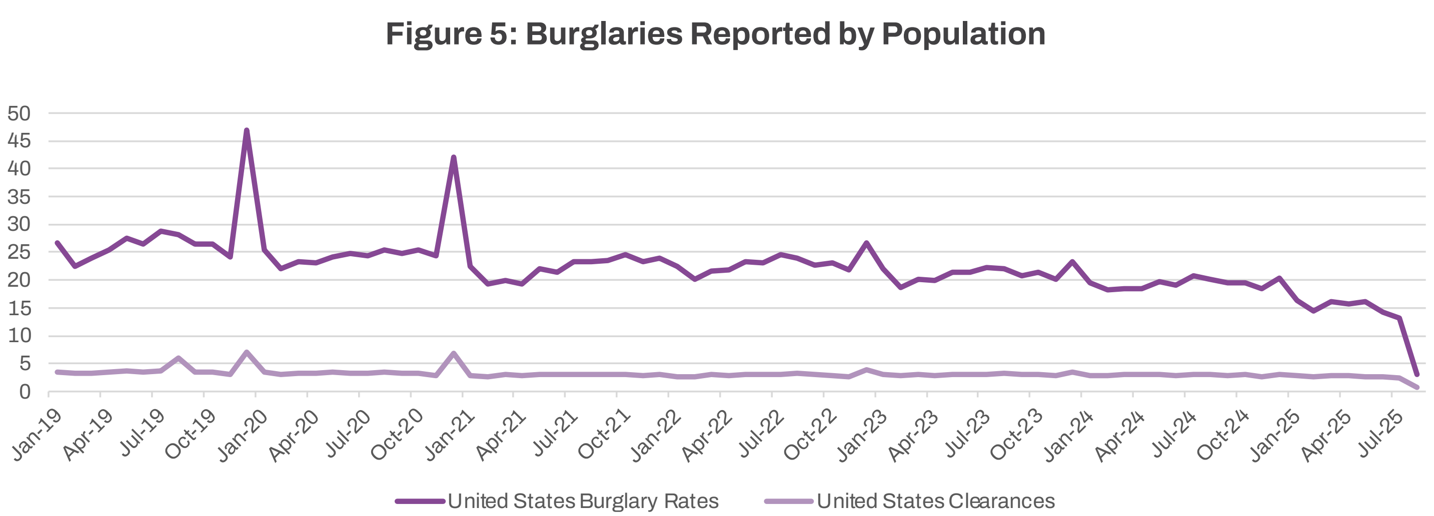
Rate per 100,000 people
Source: [FBI Crime Data]

ROBBERIES have gradually trended upwards, fluctuating between 9,000 and 21,000 incidents per month between 2021 and 2025. However, the average incident level in this four-year spread remains lower than that of any other four-year spread (or any larger spread) since 1985. This is likely true before 1985 as well, as rates in the 1980s hovered around 40,000 incidents per month. Annual robbery spikes have been practically eliminated since 2021.



Rate per 100,000 people
Source: [FBI Crime Data]

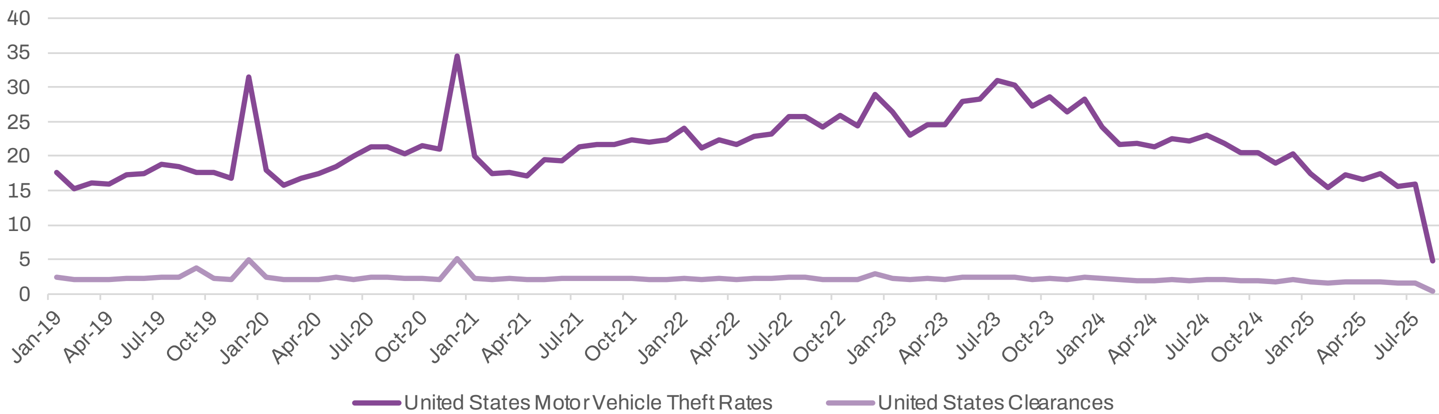
BURGLARIES have gradually and consistently increased from 2021 to 2023, but have slowly begun to subside since 2023. The annual averages from 2021 to 2025 have been lower than any other annual averages in the U.S. in the past 40 years, and likely longer. Major annual crime spikes have been practically eliminated since 2021.



Rate per 100,000 people
Source: [FBI Crime Data]

MOTOR VEHICLE THEFTS remained at a relatively constant annual average from 2009 to 2021, hovering between 42,00 and 65,000 incidents per month in any given year, excluding major annual crime spikes. In 2021, levels began climbing significantly, consistently trending upwards until the Summer of 2023, peaking at a non-spike high of nearly 100,000 incidents per month. Since 2023, rates have gradually declined (dropping by nearly 40,000 incidents per month in a 15-month period) and leveled off at about 64,000 incidents per month by the end of 2024.

Figure 6: Moter Vehicle Thefts Reported by Population



Rate per 100,000 people
Source: [FBI Crime Data]

2025

According to a recent [30-city study] conducted by the Council on Criminal Justice, as of June 2025, crime rates in the above-mentioned categories are continuing to drop, with 2025 violent crime rates remaining below levels seen in the first half of 2019. The study revealed that, compared to the first half of 2024, homicide rates are now 17% lower in the first half of 2025. Additionally, comparing rates within this same timeframe, there has been a 10% drop in aggravated assaults, a 10% drop in sexual assaults, a 20% drop in robbery, a 24% drop in carjackings (a type of robbery), and a 3% increase in domestic violence incidents. Motor vehicle theft also dropped by a significant 25%.

The Greater Perspective

The frequency with which the crimes that carry the greatest impact on our communities are committed has gradually trended upwards since the start of the pandemic through 2023. Since then, there have been significant fluctuations and declines in certain crime rates, with some rates lower than those seen pre-pandemic and some higher. Certain crime rates have periodically dropped when comparing individual year-to-year rates (i.e., comparing homicide rates in 2023 to 2024 rates). However, putting aside these fluctuations in any given window between 2019 and today, the general trend between the pre-pandemic and present day shows a gradual decrease in the most serious violent crime rates. However, certain jurisdictions are experiencing little to no relief from the crime waves that the nation, the states, and their municipalities have been experiencing since the start of the COVID-19 pandemic.

"TOUGH ON CRIME" V. "SMART ON CRIME"

Tough on Crime

Throughout the United States, in times of increased criminal activity, legislatures have enacted laws that focus on expanding penal measures and their scope. This has been referred to as the "Tough on Crime" approach. It frequently manifests in our laws through expanding the number of behaviors considered criminal acts, raising misdemeanor crimes to a felony status, recommending longer sentences in criminal sentencing guidelines, and implementing mandatory minimum sentencing for certain convictions. At times, these efforts have been broadly applied to violent and non-violent offenses, at both the federal and state levels.

For example, in the 1980s and 1990s, mandatory minimum sentences reentered the federal criminal code in a sweeping fashion. This was done primarily through the Comprehensive Crime Control Act of 1984 and the Anti-Drug Abuse Act of 1986, collectively addressing felony and misdemeanor sentencing reform for adult and juvenile drug possession and distribution crimes.

The states followed in step with the national conversation and federal lead. By 1994, all 50 states had adopted some form of mandatory minimum sentencing laws for criminal activity, non-violent or otherwise.

For certain crimes, such measures can deter criminal activity to a certain degree. However, after decades of trial and observation, the repercussions of some penal-natured laws have shown that the "Tough on Crime" approach does not substantially prevent crime.

The obvious flaw with the approach is that it assumes those who maintain a criminal lifestyle are aware of the law. Further, it is detrimental to the efficacy of a policy to assume that criminals, especially violent ones, hold a behavior-changing level of respect for the law and the harsher punishments they may face. Whether or not those convicted of crimes deserve harsher sentencing is an entirely separate matter and debate.

Simply imposing harsher sentencing has been shown to be an ineffective deterrent mechanism in the U.S. and other developed countries. Data collected over the past several decades, in jurisdictions like the U.S., Canada, and Australia, have all supported the conclusion that crime is generally not deterred by harsher sentences. The U.S. Justice Department has even led education efforts to share that the increased likelihood of being caught by law enforcement is a vastly more effective deterrent than the sentencing itself.

A "Tough on Crime" strategy strives to keep alive the notion that harsher sentencing alone is an effective crime deterrent. Harsher sentencing efforts aim to make a would-be criminal think twice before acting, a proposition that only resonates with logical, rational actors aware of the law. Society's noble desire for justice is partly founded on a strong ethical motivation to hold bad actors accountable, and rightly so. However, this is an incomplete approach to prevent crime that may also lead to unintended consequences. Further, and even counterintuitively, these strategies may unintentionally contribute towards sustaining the negative crime cycles our society desires to break.

Imposing harsher penalties may actually increase long-term crime rates. One way this occurs is through plea-bargaining and its relationship with harsher imposed sentences. Harsher sentences, such as mandatory minimums or enhancements tacked on to lower-level crimes, often empower prosecutors with negotiation tools. Harsher sentences can be used by the state to incentivize and/or coerce plea deals with individuals whose innocence might have been maintained through an acquittal had they gone to trial. Data from the National Registry of Exonerations' 2024 Annual Report shows that of the 147 exonerations that occurred in 2024, 15% involve false confessions, with similar percentages of exonerees having pled guilty.

Once an individual has a criminal conviction on their record, the likelihood of recidivism and additional criminal activity throughout their lifetime increases. This most commonly occurs after raising non-violent misdemeanor offenses to a felony level. Furthermore, mandatory minimum sentences—the go-to "Tough on Crime" measure—inhibit a judge's ability to impose a lesser sentence that the court may feel is more appropriate. This can be life-changing for an individual and impose significant impacts on the broader community when such a story is repeated.

Smart on Crime

Long-term reductions in crime require a broader and more thoughtful alternative. "Smart on Crime" approaches include appropriate and just penal measures for the crimes at issue, ensuring society does not tolerate prosecutorial failures and light sentencing for violent and heinous offenses. Repeat offenders are also provided less flexibility in the justice systems throughout the states, and logically so. However, the punishment for a crime is only one aspect of the issue. "Smart on Crime" justice reforms are comprised of multifaceted, data-driven ideas that take punishment into account, as well as the front, middle, and back-end components of the justice system. The goal is also different. "Smart on Crime" seeks to deter crime with a strategic two-fold approach: a direct short-term strategy, and a multifaceted long-term one. This prevents criminal activity more effectively through the support of law enforcement in crime deterrent efforts and implementing measures to assist individuals in breaking their cycle of a criminal lifestyle.

States like Texas, Georgia, Oklahoma, and North Carolina have shown that such criminal justice reform approaches improve public safety while also supporting law enforcement and holding individuals accountable for their actions. Between 2007 and 2017, 35 states implemented various smart-on-crime policies without compromising the frequency of patrols, the quality of enforcement measures, or prosecutorial action. These reforms prioritized evidence-based sentencing standards and violent crime reduction strategies that prioritize their law enforcement communities with resources needed to execute targeted crime reduction programs. They increased public safety through the prevention of crime by actively targeting it—not by slapping an extra 15 years on a sentence.

STATE IMPLEMENTATION OF SMART ON CRIME REFORMS

The charts on Page 8 demonstrate 42 states which have adopted various criminal justice reforms, most of which constitute a version of a smart on crime legislative reform. While each state's approach can be unique in its language and implementation, smart on crime reforms generally focus on systemic reform with a focus on minimizing the likelihood that an offender will re-offend. As displayed below, such legislation can fall into categories of sentencing, release, community corrections, and sustainability reform.

Figure 7: Criminal Justice Reform Policies by State

	2023		2022	2021			2020	2019					2018			2017						2016		2015			2014		
POLICY REFORM	**NE**	**MN**	**PA**	**LA**	**KS**	**TN**	**VT**	**PA**	**NM**	**OR**	**WY**	**NV**	**MA**	**MO**	**OK**	**RI**	**LA**	**AR**	**GA**	**ND**	**MT**	**AK**	**MD**	**UT**	**AL**	**NE**	**ID**	**MI**	**MS**
SENTENCING / PRETRIAL																													
Reclassify / redefine drug offenses				✓								✓	✓		✓		✓			✓	✓	✓	✓	✓	✓	✓			✓
Reclassify / redefine property offenses				✓								✓			✓	✓	✓			✓	✓	✓	✓		✓	✓			✓
Establish presumptive probation for some offenses												✓								✓		✓				✓			✓
Revise sentencing enhancements	✓			✓								✓			✓		✓				✓	✓		✓	✓				✓
Revise mandatory minimums	✓			✓											✓		✓				✓	✓	✓						
Reduce crack-powder cocaine disparity																							✓						
Form sentencing commission / revise guidelines																		✓			✓	✓		✓					
Improve pretrial release systems						✓							✓								✓	✓							
Establish presentence assessment						✓					✓					✓					✓	✓	✓						
Revise drug-free school zone																				✓				✓					
Authorize risk-reduction sentencing								✓				✓			✓														
RELEASE																													
Revise parole hearings / eligibility standards	✓			✓		✓	✓					✓		✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Expand good-time / earned-time credits				✓		✓	✓				✓		✓				✓					✓	✓	✓					✓
Establish parole board member qualifications																					✓								
Establish / expand geriatric or medical parole	✓			✓								✓			✓	✓	✓			✓		✓	✓		✓			✓	✓
COMMUNITY CORRECTIONS																													
Establish / expand earned discharge				✓								✓	✓				✓		✓		✓	✓	✓	✓			✓		✓
Authorize performance incentive funding	✓					✓					✓			✓		✓							✓	✓	✓				
Authorize administrative jail sanctions				✓				✓			✓					✓	✓				✓	✓		✓	✓	✓	✓		✓
Authorize graduated responses for violations		✓					✓				✓	✓	✓				✓				✓	✓	✓	✓	✓	✓	✓		✓
Cap revocation time				✓		✓						✓			✓		✓	✓			✓	✓	✓	✓	✓		✓		✓
Establish / improve electronic monitoring																													
Establish mandatory re-entry supervision						✓																			✓	✓			
Require / improve risk-needs assessment		✓				✓					✓	✓	✓	✓		✓			✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Require evidence-based practices	✓	✓		✓	✓	✓	✓				✓	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓
Reform / establish specialty courts or diversion programs	✓				✓	✓						✓	✓	✓										✓					✓
Reduce probation terms or active supervision period				✓		✓					✓	✓				✓	✓		✓			✓			✓				
Improve behavioral health interventions	✓					✓					✓	✓	✓	✓		✓			✓	✓	✓	✓		✓	✓	✓	✓	✓	
SUSTAINABILITY																													
Require fiscal impact statements												✓									✓								✓
Require data collection / performance measures	✓	✓		✓			✓			✓	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Improve restitution / victim notification			✓	✓	✓	✓			✓		✓			✓		✓	✓					✓	✓		✓	✓	✓		✓
Establish oversight council		✓			✓					✓		✓		✓		✓		✓		✓	✓	✓	✓	✓	✓	✓	✓		✓

	2013				2012						2011						2010		2009		2008					2007		
POLICY REFORM	**OR**	**SD**	**WV**	**KS**	**MO**	**DE**	**GA**	**PA**	**HI**	**OK**	**AR**	**KY**	**AL**	**LA**	**NC**	**OH**	**SC**	**NH**	**IL**	**WI**	**AZ**	**PA**	**CT**	**RI**	**VT**	**KS**	**NV**	**TX**
SENTENCING / PRETRIAL																												
Reclassify / redefine drug offenses	✓	✓					✓				✓	✓			✓	✓												
Reclassify / redefine property offenses	✓	✓					✓				✓					✓	✓											
Establish presumptive probation for some offenses	✓	✓							✓			✓				✓												
Revise sentencing enhancements							✓					✓			✓		✓											
Revise mandatory minimums	✓						✓		✓					✓			✓											
Reduce crack-powder cocaine disparity					✓											✓	✓											
Form sentencing commission / revise guidelines															✓				✓									
Improve pretrial release systems			✓			✓			✓			✓																
Establish presentence assessment			✓			✓	✓			✓		✓													✓			
Revise drug-free school zone												✓					✓											
Authorize risk-reduction sentencing															✓	✓						✓						
RELEASE																												
Revise parole hearings / eligibility standards				✓					✓		✓	✓		✓			✓	✓						✓				
Expand good-time / earned-time credits	✓			✓		✓	✓							✓	✓	✓	✓							✓		✓	✓	
Establish parole board member qualifications														✓			✓											
Establish / expand geriatric or medical parole											✓			✓			✓											
COMMUNITY CORRECTIONS																												
Establish / expand earned discharge	✓	✓		✓	✓	✓					✓	✓					✓	✓			✓							
Authorize performance incentive funding	✓				✓			✓			✓	✓				✓	✓		✓							✓		
Authorize administrative jail sanctions			✓	✓	✓						✓	✓		✓	✓		✓	✓										
Authorize graduated responses for violations		✓	✓	✓		✓	✓	✓			✓	✓		✓	✓		✓										✓	✓
Cap revocation time				✓	✓		✓	✓	✓	✓			✓		✓													
Establish / improve electronic monitoring			✓				✓				✓	✓		✓									✓		✓			
Establish mandatory re-entry supervision			✓	✓						✓		✓			✓	✓	✓	✓										
Require / improve risk-needs assessment	✓	✓	✓			✓	✓		✓		✓	✓		✓	✓	✓	✓		✓				✓	✓				
Require evidence-based practices	✓	✓				✓	✓	✓			✓	✓				✓			✓					✓			✓	
Reform / establish specialty courts or diversion programs	✓	✓	✓				✓				✓	✓		✓														
Reduce probation terms or active supervision period									✓																✓			✓
Improve behavioral health interventions		✓	✓	✓											✓	✓				✓		✓	✓		✓	✓	✓	✓
SUSTAINABILITY																												
Require fiscal impact statements	✓	✓										✓					✓		✓									
Require data collection / performance measures	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓			✓		✓	✓					
Improve restitution / victim notification		✓						✓	✓				✓				✓						✓					
Establish oversight council	✓	✓			✓		✓										✓											

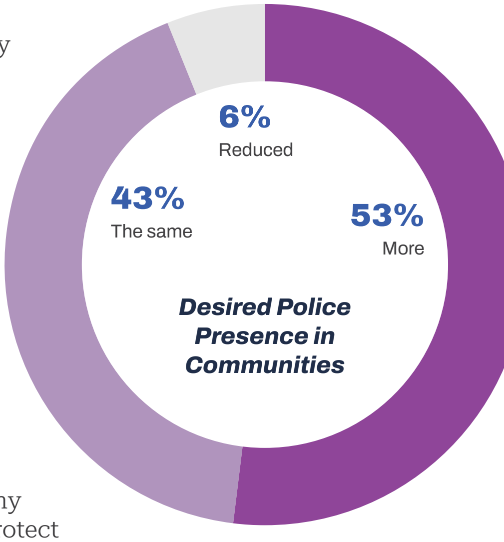
Source: The Justice Reinvestment Initiative

Refer to Figure 7 Glossary for Detailed Policy Reform Definitions

STRATEGIES TO REDUCE VIOLENT CRIME

1 Provide Adequate Funding and Support to Law Enforcement

Properly executed investments in law enforcement can significantly lower crime, particularly violent offenses. However, ensuring law enforcement is provided with the necessary resources to incentivize quality policing practices and recruit and retain quality personnel is crucial. Increasing police presence in underserved communities, especially where violent crime is common, however, is not. The share of U.S. adults who want more police funding vastly outweighs those who do not. Additionally, in a survey of more than a dozen urban low-income communities, 53% of residents wanted increased police presence, 43% wanted the same amount of police activity, and only 6% wanted less.



Source: Center for Advancing Opportunity

There is a logical, common-sense motivation for communities to want increased levels of effective police presence: a direct form of crime deterrence. To make this a reality, appropriate and reliable revenue sources and training for these officers are critical. Law enforcement needs to retain and recruit quality personnel and needs to be adequately funded to effectively protect and serve their communities. A healthy law enforcement department with properly incentivized officers can, and does, lead to less crime. Ensuring police are properly trained and equipped with the tools needed to do their job—and not looking to generate their department budget through certain practices—helps create a healthy law enforcement culture, maintaining the quality officers needed to deter crime and better protect communities.

Better-trained and educated officers are also less likely to use unnecessary or unjustified force and, instead, engage in more proactive and effective policing practices. However, funding for such priorities is often sparse as department budgets are restricted to shares of local revenue. This has also contributed to an increased reliance on federal funds in recent years. Employing transparent and consistent funding sources not directly dependent on the portion of the population interacted with is an essential mechanism to enable such practices.

Police departments should not be forced to fund significant percentages of their budgets through fines, fees, and forfeitures. State-level policymakers should instead fund them through a consistent and transparent budgetary process, allocating the needed funds and resources to law enforcement so they can ensure that they align their department objectives and priorities with the needs of the people they serve.

2 Allow Police to Focus on Violent Offenses

Police spend a small percentage of their time focusing on violent crimes. Most of their time is spent on non-criminal calls and traffic incidents. Properly supporting law enforcement also means freeing them to prioritize their community's most pressing needs, such as preventing and solving violent crimes, instead of dedicating the majority of their personnel and time to non-criminal investigations.

Police are often overwhelmed with the default emergency first responder status they tend to assume. Issues such as widespread drug addiction, homelessness, and mental health issues (which often overlap) can pull police away from their primary responsibilities of protecting the public from dangerous and irresponsible individuals. For many U.S. cities, enabling police to crack down on violent crime first requires unburdening them from the emergency calls that may be better served by other community members.

Supporting efforts such as the 988 suicide and crisis lifeline number is a solid starting point. Ensuring dispatchers have the requisite knowledge and skills to best determine which personnel to send in response to mental illness-related emergency calls seeks to benefit civilians and law enforcement in several ways. When appropriate, the use of clinicians as responders and co-responders can provide more effective care for those experiencing a mental health crisis, while also removing strain from a police force, allowing them to focus efforts towards solving and deterring violent crime.

3 Hot Spot Policing, Blight Reduction, and Focused Deterrence

While seemingly intuitive, implementing focused programs where police actively target areas with high levels of criminal activity has proven to be an impressively successful strategy in several major U.S. cities. The core idea is that policy must free up police personnel and resources to target areas that suffer from violent crime the most. Not only can police reorganize and free up resources to target such areas, but they can do so in proactive and efficient ways, with impactful results.

In Boston, between 1998 and 2001, monthly youth homicides dropped by 63%, "shots-fired" calls to 911 dropped by 32%, and reported gun incidents in target districts fell by 25% after implementing such strategies. Boston's program, Operation Ceasefire and the Safe Community Partnership, yielded greater reductions in crime compared to other U.S. cities during this period.

Cincinnati's 2016 Place-Based Investigations of Violent Offender Territories (PIVOT) program took a similar approach after identifying that 42% of shootings occurred on land making up 1.4% of the city's land mass. Disrupting the areas that foster and facilitate criminal activity also proves to be a key component, specifically through diminishing urban blight (unregulated parking spaces, unsecured structures, bad lighting, and abandoned properties). Under the PIVOT program, Cincinnati increased patrols, on-street parking restrictions, code enforcement for rental/retail property owners, implemented better lighting and beautification measures, and demolished certain abandoned properties. After implementation, from June 2016 to June 2017, the number of shooting victims in that target area fell by over 80%, and the time between shooting incidents increased from 32 to 130 days. The city also experienced similar results in more recent pilot sites with little evidence of any crime displacement occurring.

Dallas utilized their city leaders, including Mayor Eric Johnson and Police Chief Eddie Garcia, who worked with criminologists to study crime data and implement a Violent Crime Reduction Plan, similar to those of Boston and Cincinnati. Dallas combined police and non-police efforts to enhance focused deterrence efforts, hot spot policing strategies, urban blight removal, lighting, and relevant apartment complex code regulation enforcement. The city was divided into 104,000 "microgrids," where 47 to 50 of the grids comprised only 10% of the violent crime. The motivation for this action by the city was an alarming increase in crime. Between 2018 and 2020, violent incidents had increased by nearly 22%, with the trend continuing into 2021. However, months after implementation, Dallas's murder rate dropped by 13% and arrests by 11%. From 2020 to 2022, there were 1,700 fewer victims of violent crime and an overall decrease of 5.5% since 2022.

4 Back-End Reforms

The proper utilization of law enforcement is an essential component of a successful violent crime reduction strategy. However, the problems which burden society with crime are multi-faceted. Because most offenders are not first-time offenders, the post-conviction structure and handling of those convicted can be just as, and arguably more, important than front-end components of the justice system. In response to these dynamics, ALEC's Judiciary Task Force members have carefully developed a variety of model legislation to improve the outcomes of criminal justice systems on the back end. These reforms are discussed in the next section.

JUDICIAL SYSTEM REFORM

Pretrial Reform

ALEC Model Policy:

Resolution on Ensuring the Constitutional Right to Trial by Ameliorating the Trial Penalty

This model resolution seeks to establish the factual findings surrounding and associated with the practice of plea bargaining while encouraging the adoption and prohibition of certain practices within the judiciary to ensure a defendant has access to a fair trial.

The founders of the United States intentionally designed a system that held the criminal trial as a central fact-finding event in our criminal justice system. However, prosecutors often use harsh, looming sentences as leverage and bargaining tools to pressure defendants into a plea bargain, admitting guilt to crimes they may not have committed due to the intimidating sentence they face. This ultimately leads to higher conviction rates of people who may have otherwise maintained their innocence through a trial, as our justice system is designed to do. Further, when this type of pressure is applied, it significantly diminishes the likelihood that individuals will come out of their sentences better off and ready to contribute to society. Lastly, these pressured plea bargains inaccurately demonstrate a positive conviction rate of actual violent criminals.

Reforming the criminal trial and plea bargain relationship can positively contribute to a reduction in violent crime by not allowing otherwise innocent defendants to agree to a conviction that will forever change their lives. Prison experiences, criminal records, and post-release employment opportunities each greatly contribute to an individual's ability to function and contribute to society, instead of falling into a criminal lifestyle. Our justice system should be focused on holding actual violent offenders accountable—not on minimizing district attorneys' workloads and meeting convictions quotas at the expense of individuals' lives, liberties, and the larger prosperity of American communities.

Fines and Fees Reform

ALEC Model Policies:

Fines and Fees Reporting Act & Elimination of Youth Justice Fines and Fees Act

This act establishes a statewide database and searchable public website that includes certain information for each fine or fee assessed to an individual upon a criminal conviction. It mandates that each municipality in the state participate in the uploading of this information into the statewide database. Timely reporting requirements for such report submissions are also established.

Fines and fees are often imposed without regard to a person's ability to pay, serving purely as penal measures. This bogs down individuals with debts they are often willing but unable to pay due to their socioeconomic status or life circumstances. These court fines, fees, and their associated late fees, court costs, and taxes all compound and leave individuals, often indigent, in vast amounts of court debt. Collateral consequences of this unpaid debt include denials of otherwise just record expungements and driver's license restorations, consequences that directly affect employment opportunities and significantly reduce the already slim chance that the court debt is ever paid.

Establishing a database to report fines and fees amounts is a first step in holding these systems accountable. More appropriately imposed court fines and fees lessen the chances of roping people into the justice system who are willing but unable to pay such burdensome debts. When this does occur, life can be made much more difficult. Suspending drivers' licenses for unpaid fines and fees is an all-too-common enforcement mechanism, but it is one that directly affects individuals' livelihoods and communities' well being. The core issue is that these measures too easily incentivize recidivism into a criminal lifestyle, given the great obstacles imposed.

Re-Entry Reform

One of the most important strategies for crime reduction is ensuring individuals are set up for success post-release. Many individuals complete their jail or prison sentences with genuine intentions to change their lives and earn a legitimate living. However, their criminal history and their absence from society for extended periods of time put them at a great disadvantage. Providing individuals who have paid their debt to society with the resources needed to gain employment and contribute to society is a crucial investment that can greatly reduce crime levels in the long run.

ALEC Model Policy:

Act to Prepare Inmates for Re-Entry and the Workforce

This model policy directs the Department of Corrections to provide inmates with certain documentation upon their release, including a state-issued identification card, a social security card, a certified copy of their birth certificate, and other documentation relating to work experience, education, and trade skills to better prepare inmates for reintegration into the workforce upon release.

Gathering such basic and essential documentation is an immensely time-consuming task. Providing this to inmates upon release is truly a significant help as they reenter society and seek employment.

ALEC Model Policy:

Record Expungement Act

This model policy provides for setting aside the conviction in certain criminal cases as well as the retention of certain nonpublic records. It also prescribes the powers and duties of certain public agencies and officers as they relate to record expungement.

Expunging records can understandably make certain individuals uncomfortable, and for good reason. The public has an obvious interest in knowing who they are associating with and hiring. At the same time, individuals suffer greatly from their criminal records, feeling the consequences of their actions for a lifetime, even after fully serving a sentence. The compromise is found in which types of offenses are set aside, and which records are retained. Few support expunging records of violent crimes. However, removing non-violent felonies and misdemeanors from a record can be life-altering for someone wanting to reenter productive society.

Glossary for Figure 7: Criminal Justice Reform Policies by State

Sentencing / Pretrial

1. ***Reclassify/redefine drug offenses***
   Legislative change to shift certain substances or levels of conduct into a less severe category.
   This often means lowering felonies to misdemeanors (or reducing severity classes) for nonviolent drug possession or reducing thresholds so fewer people face harsh penalties.

2. ***Reclassify/redefine property offenses***
   Statutory adjustment to change how property crimes (e.g. theft, burglary) are tiered by value, harm, or intent.
   For example, raising the dollar threshold for felony theft, or reclassifying some low-level burglary offenses.

3. ***Establish presumptive probation for some offenses***
   Mandate that certain offenses automatically default to probation (rather than incarceration), barring aggravating factors.
   The idea is that for low-risk, nonviolent crimes, the baseline sentence is community supervision unless there is a strong justification to depart.

4. ***Revise sentencing enhancements***
   Modify or limit additional penalty add-ons (e.g. for prior convictions, use of a weapon) that increase sentencing ranges.
   The goal is to ensure enhancements are proportional and justified, disallow stacking for marginal added conduct, or eliminate enhancements that produce overly punitive outcomes.

5. ***Revise mandatory minimums***
   Legislative reform to alter or eliminate fixed minimum prison terms for specific crimes.
   This can occur through adjusting the imposed minimum term, restricting the scope of offenses covered by mandatory sentences, or eliminating the sentencing floor altogether to ensure judicial discretion is properly applied in sentencing.

6. ***Reduce crack-powder cocaine disparity***
   Change laws so that penalties for crack cocaine offenses and powder cocaine offenses are more equally punished at the lower offense level.
   Historically, penalties for crack were much harsher; reform narrows or eliminates that disparity to reduce and sentencing inequities and socio-economic impacts.

7. ***Form sentencing commission / revise guidelines***
   Establish an independent or bipartisan body to develop, revise, monitor, and update sentencing rules or guidelines.
   Commissions create calibrated sentencing guidelines for judges to utilize, based on offense severity and offender factors, promoting consistency, transparency, and regular review.

8. ***Improve pretrial release systems***
   Reform bail, detention, and supervision practices so that low-level defendants are not detained pretrial solely due to inability to pay and violent offenders are not released via cashless bail policies.
   This can include reforming the elimination of cash bail, instituting risk-based release, or allowing judges to considering other nonfinancial conditions of release.

9. ***Establish presentence assessment***
   Require a structured evaluation (e.g. risk/needs assessment, criminal history, background) before sentencing.
   The assessment informs sentencing decisions and tailoring of conditions, enabling more individualized, evidence-informed sentences.

10. ***Revise drug-free school zone***
    Amend laws that impose elevated penalties for drug offenses committed within defined geographic areas around schools.
    Revisions typically narrow zone size, restrict the types of drugs covered, or remove the enhancement entirely to reduce over-penalization.

11. ***Authorize risk-reduction sentencing***
    Enable sentencing reductions based on demonstrated lower risk or rehabilitation during incarceration or supervision.
    For example, allowing earlier release or reduced term if the individual completes programs or remains incident-free under supervision.

Release

12. *Revise parole hearings / eligibility standards*
Change when and how incarcerated individuals qualify for parole and the process by which parole decisions are made.
Reform might shorten the waiting period, require more regular hearings, or impose clearer criteria to limit arbitrary denials.

13. *Expand good-time / earned-time credits*
Increase opportunities for incarcerated people to shorten their time by earning time credits for good behavior or programming.
This incentivizes rehabilitation and enables earlier release for those who comply and participate in approved activities.

14. *Establish parole board member qualifications*
Legislate minimum standards (e.g. experience, training, independence) for membership on parole boards.
The aim is to professionalize decision-making and reduce arbitrary or politicized parole denials.

15. *Establish / expand geriatric or medical parole*
Allow early release for older adults or those with serious medical conditions based on reduced public safety concern.
This recognizes that aging and illness reduce recidivism risk and that long stays can cost more and cause undue harm.

Community Corrections

16. *Establish / expand earned discharge*
Allow probationers or parolees to complete supervision earlier by meeting benchmarks (e.g. compliance, program completion).
This rewards success and reduces long tails of supervision, facilitating reintegration.

17. *Authorize performance incentive funding*
Provide grants or financial incentives to jurisdictions that meet targets (e.g. reduced recidivism, reduced incarceration).
The idea is to encourage adoption of evidence-based reforms by aligning financial rewards with outcomes.

18. *Authorize administrative jail sanctions*
Permit nonviolent technical violations (e.g. missing a meeting) to be sanctioned by short jail stays or other administrative penalties.
This avoids full revocation proceedings and provides a proportional response to minor missteps.

19. *Authorize graduated responses for violations*
Enable a tiered system of sanctions (from warnings up to revocation) for violations of supervision rules.
The system matches the severity of the violation with an appropriate response, rather than automatically escalating to incarceration.

20. *Cap revocation time*
Limit how long a person can be incarcerated for violating supervision conditions.
This prevents excessively long re-incarceration for technical violations disproportionate to the underlying offense.

21. *Establish / improve electronic monitoring*
Expand or modernize use of GPS or ankle-bracelet monitoring as a supervision tool.
Effective electronic monitoring can reduce incarceration while maintaining oversight, particularly for lower-risk individuals.

22. *Establish mandatory re-entry supervision*
Require a period of supervised release post-incarceration for all or many individuals.
This ensures structured support and oversight during the transition back into the community.

23. *Require / improve risk-needs assessment*
Mandate use of validated tools to assess individual risks and treatment needs at entry to supervision.
This helps tailor supervision and services to reduce recidivism by focusing resources where they are most needed.

24. ***Require evidence-based practices***
Statutory mandates on the use of interventions, policing practices, reentry services, and community programs shown by research to reduce recidivism.
This prevents the proliferation of purely punitive, damaging, and ineffective practices, to ensure accountability and lower recidivism and criminal activity.

25. ***Reform / establish specialty courts or diversion programs***
Develop or improve problem-solving courts (e.g. drug courts, mental health courts, veterans' courts) to handle cases with particular treatment needs. Diversion programs offer a safety valve to courts where deserving, non-violent offenders can be diverted to rehabilitative program completion as an alternative to incarceration.
These courts integrate judicial oversight with services and compliance incentives to reduce repeat offending.

26. ***Reduce probation terms or active supervision period***
Shorten the maximum duration of probation supervision allowed by statute.
This limits the implementation of long supervision tails which increase the risk of high-consequence technical violations.

27. ***Improve behavioral health interventions***
Enhance access, quality, and integration of mental health and substance use treatment within supervision systems.
This involves embedding or coordinating therapy, peer support, medication, and other services to address underlying criminogenic needs.

Sustainability

28. ***Require fiscal impact statements***
Mandate that proposed criminal justice laws include estimates of their long-term costs and savings.
This ensures policymakers understand the budgetary implications and tradeoffs of reforms.

29. ***Require data collection / performance measures***
Statutorily obligate agencies to collect and report metrics (e.g. recidivism, supervision outcomes).
Transparency and accountability depend on standardized, ongoing data to measure whether reforms work and update policymakers on the current status of crime and how the justice system is being impacted.

30. ***Improve restitution / victim notification***
Strengthen mechanisms for collecting offender restitution and keeping victims informed of status changes (e.g. offender release, hearings, appeals).
This enhances victim rights and ensures the system responsibly communicates with victims about the most important updates.

31. ***Establish oversight council***
Create an independent body to monitor, evaluate, and recommend reforms of the criminal justice system.
The council tracks implementation, identifies disparities, and provides ongoing guidance to maintain reforms.

ALEC

American
Legislative
Exchange
Council