

TO: The Public Safety Performance Project Of The Pew Charitable Trusts
FROM: The Mellman Group & Public Opinion Strategies
RE: Key Findings From The Maryland Survey On Criminal Justice Reform
DATE: March 16, 2016

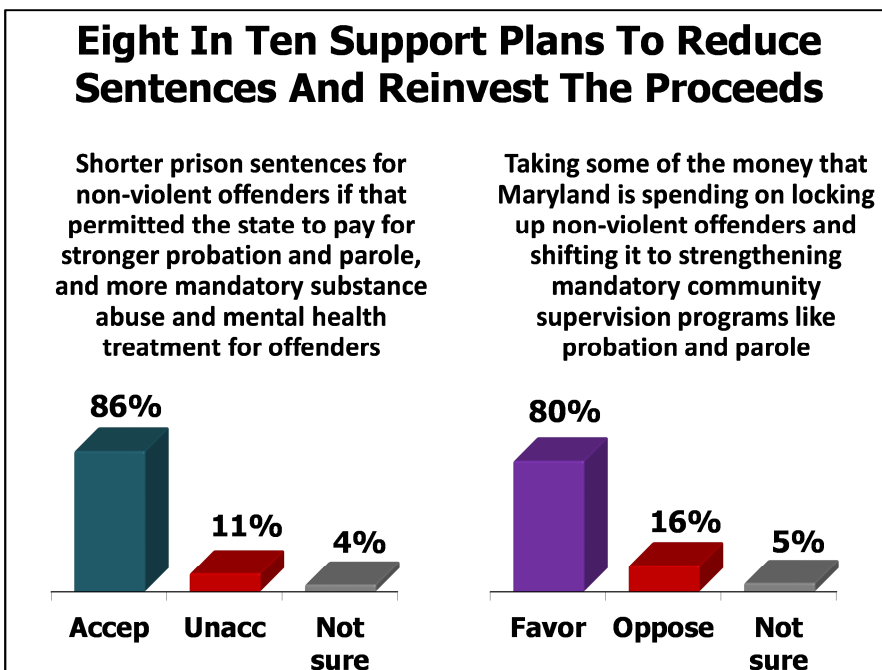
This analysis represents the findings of a survey of 600 voters representing the likely Nov. 2016 Maryland electorate based on participation in past elections. The survey was conducted by The Mellman Group & Public Opinion Strategies by telephone February 17-21, 2016, and included both cell phones and landlines randomly selected from official voter lists. The margin of error is +/-4.0% at the 95% level of confidence. When design effects are accounted for, the overall margin of error is +/-4.3 percentage points at the 95% level of confidence. The margin of error is higher for subgroups (see final page).

Maryland voters support a variety of reforms to the state’s criminal justice system that reduce prison sentences for non-violent offenders and redirect savings toward drug and mental health treatment, probation, and other programs that reduce the likelihood of recidivism. Voters also favor expanding earned time for offenders who complete drug and mental health treatment programs; reducing the time spent in prison for technical violations of parole or probation; and reforming mandatory minimum sentences in drug cases.

MARYLAND VOTERS STRONGLY SUPPORT SHORTENING PRISON TERMS FOR NON-VIOLENT OFFENDERS AND REDIRECTING THE SAVINGS TO TREATMENT, PROBATION, AND PAROLE

Across party lines, Marylanders strongly support policies that safely reduce prison terms for nonviolent offenders and reinvest the savings into programs that evidence shows reduce recidivism.

There is nearly unanimous support (86%-11%) for a plan to “shorten prison sentences for non-violent offenders if that permitted the state to pay for stronger probation and parole, and more mandatory substance abuse and mental health treatment for offenders.”



Similarly, eight in ten (80%) favor “taking some of the money that Maryland is spending on locking up non-violent offenders and shifting it to strengthening mandatory community supervision programs like probation and parole” while only 16% are opposed.

Both of these proposals are broadly popular across all major demographic groups. The first is supported by 93% of Democrats, 79% of independents, 82% of Republicans, 82% of violent crime victim households, and 79% of law enforcement households, while the second is favored by 89% of Democrats, 74% of independents, 71% of Republicans, 81% of violent crime victim households, and 76% of law enforcement households.

MARYLANDERS PRIORITIZE REDUCING RECIDIVISM OVER LONGER PRISON TERMS, EVEN AFTER STRONG MESSAGING ON BOTH SIDES

Even after being exposed to a strong statement arguing against shorter sentences, a large majority of Marylanders want the state to focus more on reducing the likelihood of offenders committing further crimes than on locking them up.

Respondents heard arguments on both sides of the debate. One, indicated by the brown text and bar in the chart at right, was a strongly worded statement positing that “If you do the crime you should do the time. We know that prison works. Longer sentences for non-violent offenders have made our streets safer, and this is no time to be reducing prison terms for anyone.” An opposing statement argued, “It

does not matter whether a non-violent offender is in prison 24 or 30 or 36 months. What really matters is that the system ensures that when offenders do get out, they are less likely to commit another crime.”

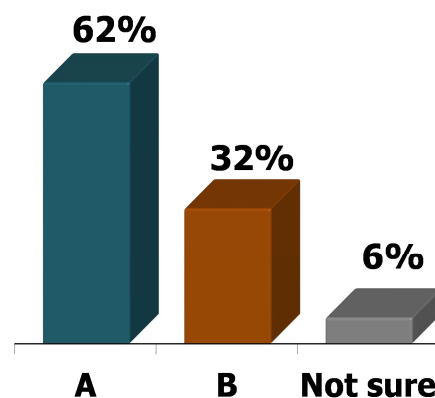
Voters clearly come down on the side of the latter. More than six in ten (62%) choose the statement arguing that reducing recidivism is more important than ensuring a particular

Marylanders Prioritize Reducing Recidivism Over Longer Prison Terms

Which comes closer to your point of view?

A: It does not matter whether a non-violent offender is in prison 24 or 30 or 36 months. What really matters is that the system ensures that when offenders do get out, they are less likely to commit another crime

B: If you do the crime you should do the time. We know that prison works. Longer sentences for non-violent offenders have made our streets safer, and this is no time to be reducing prison terms for anyone



prison term – nearly double the number who believe that the state should focus more on ensuring offenders serve long prison sentences (32%).

Recidivism reduction outranks longer prison terms across groups, with Democrats (64%-29%), independents (63%-29%), Republicans (56%-40%), violent crime victim households (60%-30%) and law enforcement households (60%-35%) all placing more emphasis on improved outcomes over additional time behind bars.

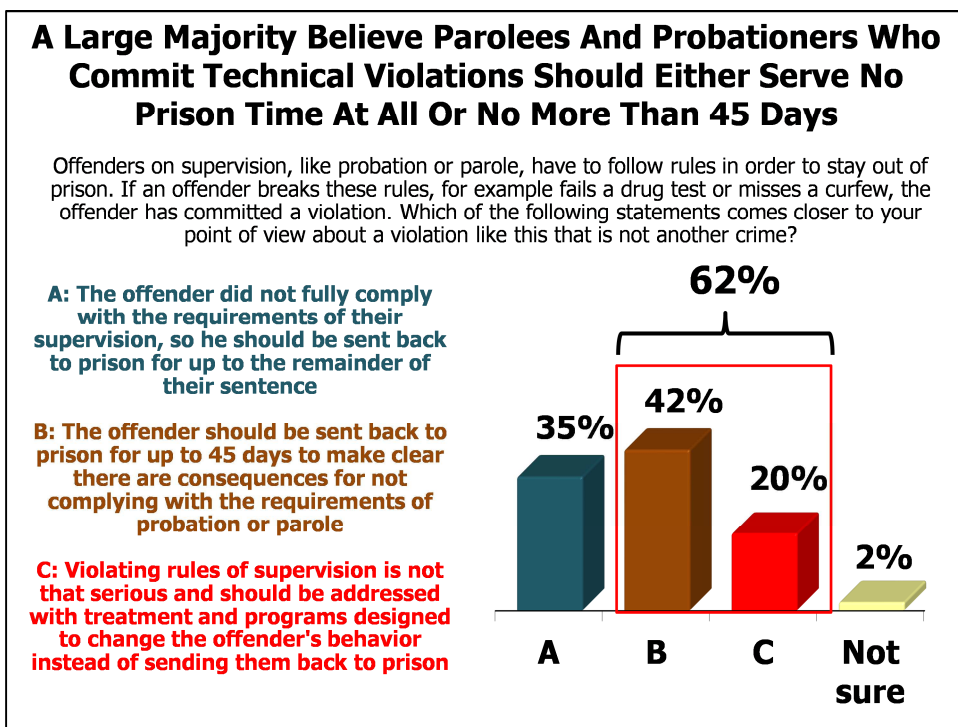
VOTERS SUPPORT A NUMBER OF SPECIFIC POLICY PROPOSALS THAT WOULD SHORTEN PRISON TERMS

There is strong support for specific proposals that would decrease the amount of time certain offenders spend in prison.

Earned Time: More than eight in ten (86%) support “allowing nonviolent offenders to earn additional time off of their prison term for completing substance abuse and mental health treatment programs while in prison.” Ninety-four percent (94%) of Democrats, 78% of independents, 84% of Republicans, 81% of violent crime victim households, and 84% of law enforcement households all favor this reform.

Technical Violations: Six in ten (62%) believe parolees and probationers who commit technical violations should either serve no prison time at all or no more than 45 days in prison. This view is shared by 72% of Democrats, 56% of independents, 54% of Republicans, 62% of violent crime victim households, and 58% of law enforcement households.

Judicial Discretion in Sentencing: Eight in ten (80%) favor “allowing judges more say in deciding sentences based on the individual facts of each case,” while only 16% prefer using mandatory minimums. The margin is even wider (83%-15%) when it comes to drug cases.



Both of these plans earn support from nearly three-quarters or more across party, victim households, and law enforcement households.

Drug Sentencing: Support for changing “the way the state sentences nonviolent drug possession offenders, allowing shorter prison sentences while expanding the availability of substance abuse treatment for individuals who need it” remains strong after voters are exposed to messaging from both sides.

Three-quarters (75%) agree with supporters of the plan who argue “that longer prison terms is the wrong way to break the cycle of crime and addiction. A more effective strategy is to put drug-addicted offenders into treatment programs and community supervision and to hold them accountable with community service or short stays in jail if they continue to use drugs or fail to go to treatment.”

By contrast, only two in ten (21%) endorse the rejoinder: “Opponents of this proposal say the threat of longer prison terms helps deter offenders from using drugs and sends a strong message to the general public that drug use is unacceptable. It would be great if substance abuse treatment really kept people drug-free but it doesn’t, so prison is a more effective way to combat the problem of addiction and crime.”

APPENDIX: ADDITIONAL MARGINS OF ERROR

<u>Subgroup (with n-size)</u>	<u>Margin of Error at 95% Confidence</u>	<u>Margin of Error at 80% Confidence</u>
Democrats (n=260)	+/- 6.1%	+/- 4.0%
Independents (n=182)	+/- 7.3%	+/- 4.7%
Republicans (n=158)	+/- 7.8%	+/- 5.1%
Violent crime victim households (n=97)	+/- 10.0%	+/- 6.5%
Law enforcement households (n=61)	+/- 12.5%	+/- 8.2%