



September 27, 2016

Kansans Support Smarter Justice

Report on a Statewide Public Opinion Poll

The ACLU of Kansas and Kansas Appleseed commissioned a statewide public opinion poll on attitudes towards criminal justice reform in Kansas. Conducted by the highly-respected Docking Institute of Public Affairs at Fort Hays State University during August 2016, the poll surveyed 415 Kansans and has a margin of error of +/- 4.8%.

The poll finds strong public support for criminal justice reform. Kansans believe that reform is necessary, important, and will result in safer communities.

Widespread public approval exists for specific policy proposals made by Kansans for Smart Justice, a statewide coalition advocating for criminal justice reform.

Reform draws broad support across the political, partisan, and ideological spectrum. Specific reforms like defelonization of some drug offenses, greater use of diversion, and civil asset forfeiture reform, garner majority support regardless of gender, age, education, party affiliation or ideological orientation.

To learn more details about the policy proposals that earned widespread public support, visit www.smartjusticekansas.org, advocating for criminal justice reform.

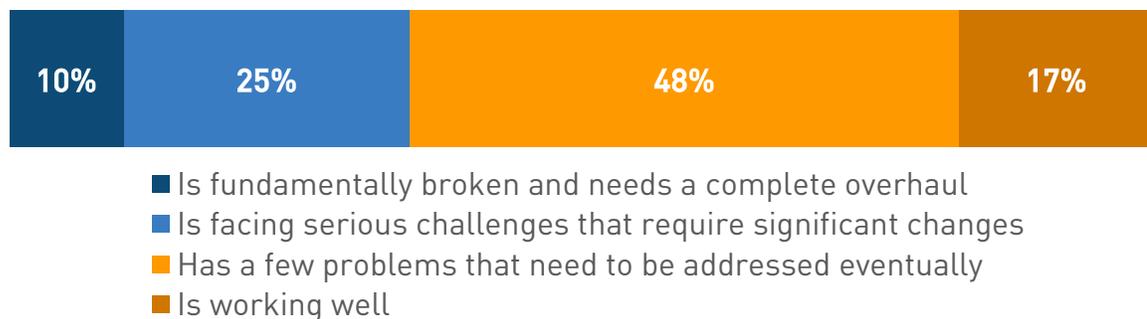
The questions posed in the poll and their results are presented here.

The poll finds strong public support for criminal justice reform, across all demographic and political groups.

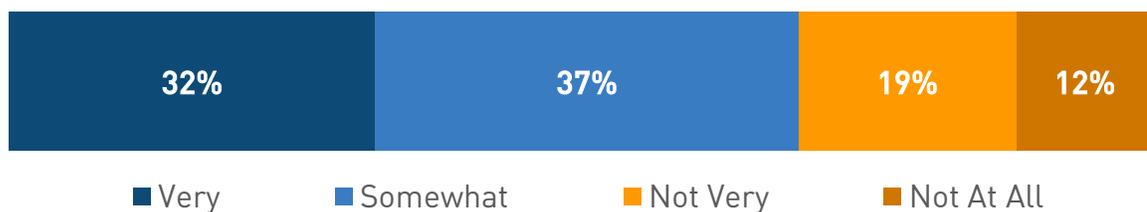
How much do you worry about crime and safety in the area where you live?



Thinking about the criminal justice system in the state of Kansas, would you say that it...



How important is it to reduce the number of prisoners who are in prison in Kansas today?



How important do you think it is to make changes to the criminal justice system in the State of Kansas?



Why is it important to reduce the number of people who are in prison?

| | |
|--|-----|
| People are in prison who don't belong there | 43% |
| Cost of prisons is too high for taxpayes | 34% |
| Prisons are overcrowded | 22% |
| Sentences are too long and/or harsh | 22% |
| Other | 21% |
| Prison does not rehabilitate | 19% |
| Need more focus on prevention | 15% |
| The system is unfair to people of color, including African Americans and Latinos | 8% |
| Prison is bad for families and communities | 7% |

Kansas prisons are over their capacity. What should Kansas do to address this?



Would reclassifying certain non-violent drug possession offenses from felonies to misdemeanors harm communities because criminals who belong behind bars will not be in prison, or help communities by saving taxpayer dollars that could be used for other purposes?

Harm communities because criminals who belong behind bars will not be in prisons **24%**

Help communities by saving taxpayer dollars that could be used for other purposes **76%**

In your view, would making reforms that reduce the prison population harm communities because criminals who belong behind bars will not be in prison, or help communities by saving taxpayer dollars that could be used for other purposes?

Harm communities because criminals who belong behind bars will not be in prisons **39%**

Help communities by saving taxpayer dollars that could be used for other purposes **61%**

Level of agreement with statements about the Kansas criminal justice system

Drug addicts who haven't committed violent crimes don't belong in prison, they should be in community based treatment programs where they can recover from their addiction.



It is possible to reduce prison sentences for non-violent offenders and reduce crime at the same time.



It is a waste of money to imprison people for simple, non-violent drug possession.



The criminal justice system needs to be rooted in the principles of forgiveness and redemption.



Being as hard as possible on criminals is an effective deterrent against re-offending.



People of color are incarcerated at higher rates because of racism in the criminal justice system.



■ Strongly Agree ■ Somewhat Agree ■ Somewhat Disagree ■ Strongly Disagree

If prison numbers were reduced, resulting in cost savings for taxpayers, should the savings be used...

| | |
|---|------------|
| Entirely for investing in important programs | 40% |
| Mostly for investing in important programs and some for cutting taxes | 32% |
| Mostly for cutting taxes and some for investing in important programs | 17% |
| Entirely for cutting taxes | 11% |

Which programs would you want to fund with this cost savings?

| | |
|---|------------|
| Programs that enhance community safety like drug and mental health treatment, job training, education, and crime prevention | 58% |
| Other programs such as infrastructure, education, and health care | 29% |
| Other | 13% |

Levels of support for smarter justice policies

■ Strongly Support
 ■ Somewhat Support
 ■ Somewhat Oppose
■ Strongly Oppose
 ■ Don't Know



Send people with mental illnesses who commit non-violent crimes to treatment centers instead of prison, and invest more in community-based mental health treatment programs.



Reduce the charges for non-violent possession of drugs from a felony a misdemeanor, which carries a lighter sentence, while increasing access to community-based treatment for addicts.



Local prosecutors can choose not to charge individuals who have committed low-level, non-violent crimes. Instead, they can divert them into treatment programs for addiction or mental illness, require them to perform community service, or make restitution for their crimes—and only charge them with a crime if they fail to complete the program. Would you support your local prosecutor diverting offenders in this way more often?



Provide more funding and support for re-entry programs that help prisoners re-adjust to life outside of prison when they get out, including job training, life skills support, and mental health and drug abuse counseling.

Levels of support for smarter justice policies



Currently, local police can permanently seize the property of citizens—including cars, houses, and cash—based on a suspicion that the property was used in a crime. A person’s property can be seized even if they are never arrested for or convicted of any crime. Law enforcement officials say this is necessary to take away the tools used by criminals. Critics say innocent people can permanently lose their property without a chance to defend themselves in court. Would you support a new law that would require a person to be convicted of a crime before the government can permanently seize that person’s property?

Thinking of youth younger than 18 in your community, if they get in trouble with the law, would you support providing them with alternatives to incarceration – like intensive rehabilitation, education, job training, community services, and programs that give them the chance to repair harms to victims and communities?

| | |
|------------------|-----|
| Strongly support | 74% |
| Somewhat support | 19% |
| Somewhat oppose | 1% |
| Strongly oppose | 3% |
| Don't know | 3% |

When it comes to youth younger than 18 in your community who get in trouble with the law, do you think Kansas should shift government funding towards more punishment and incarceration or towards more prevention and rehabilitation programs?

| | |
|-------------------------------|-----|
| Punishment and incarceration | 4% |
| Prevention and rehabilitation | 96% |

If you were choosing a community to live in, would you prefer a community that invested in rehabilitation programs for youth who get in trouble with the law, or would you prefer a community that focused primarily on incarceration for those kids?

| | |
|---|-----|
| Community that invested in rehabilitation programs for kids | 95% |
| Community that focused on incarceration | 5% |

If you could choose between the following two approaches, which do you think is the better maximum penalty for murder – the death penalty or life imprisonment, with absolutely no possibility of parole?



Demographics of Respondents

| | |
|---|--------------|
| Male | 46.5% |
| Female | 52.5% |
| White | 85.5% |
| Black or African American | 4.1% |
| Latino or Hispanic | 2.4% |
| Asian or Pacific Islander | 0.5% |
| Native American | 1.0% |
| Mixed Race | 3.1% |
| Other | 1.4% |
| Liberal | 25.3% |
| Moderate | 29.2% |
| Conservative | 41.9% |
| Republican | 39.8% |
| Non-affiliated | 34.2% |
| Democrat | 24.8% |
| Ever been a victim of a crime | 49.2% |
| Never been a victim of a crime | 50.4% |
| The respondent, a member of the respondent's family, or a close friend has spent time in prison | 27.5% |
| No one close to the respondent has spent time in prison | 55.7% |
| The respondent, a member of the respondent's family, or a close friend is in law enforcement | 44.3% |
| No one close to the respondent is in law Enforcement | 55.7% |