New Polling Shows Criminal Justice Reform is a Winning Issue for 2024 Election

October 2024

Key Insights

Recent polling, conducted by BSG on behalf of FWD.us, reveals widespread, bipartisan support for criminal justice reform. A significant 81% of likely voters support criminal justice reform, with a third "strongly" in favor. This support transcends political affiliations: 76% of Republicans, 82% of Independents, and 85% of Democrats back reform. It spans racial demographics as well, with strong endorsement from white, Black, and Latino voters. This support also carries across battleground states, with 77% of AZ voters, 74% of GA voters, 81% of MI voters, and 80% of PA voters supporting criminal justice reform.

In an election that is likely to be determined by a small margin in a few battleground states, these numbers show both candidates for president can win crucial votes by taking a strong position on criminal justice reform. In fact, by a margin of more than 5 to 1, supporting criminal justice reform makes voters more, not less, likely to vote for a candidate.
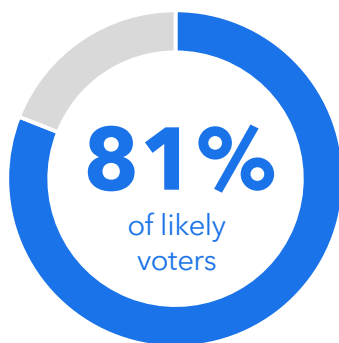
Support for criminal justice reform includes support for bold policies to reduce incarceration. Among likely voters, 72% believe it is important to reduce the jail and prison population in the United States, including 84% of Democrats, 70% of Independents, and 63% of Republicans. There is also widespread recognition that mass incarceration contributes to making problems like homelessness, public drug use, and drug overdoses worse. A strong majority, 65% of voters, say mass incarceration contributes to these problems and just over a quarter say mass incarceration contributes a lot to these issues.
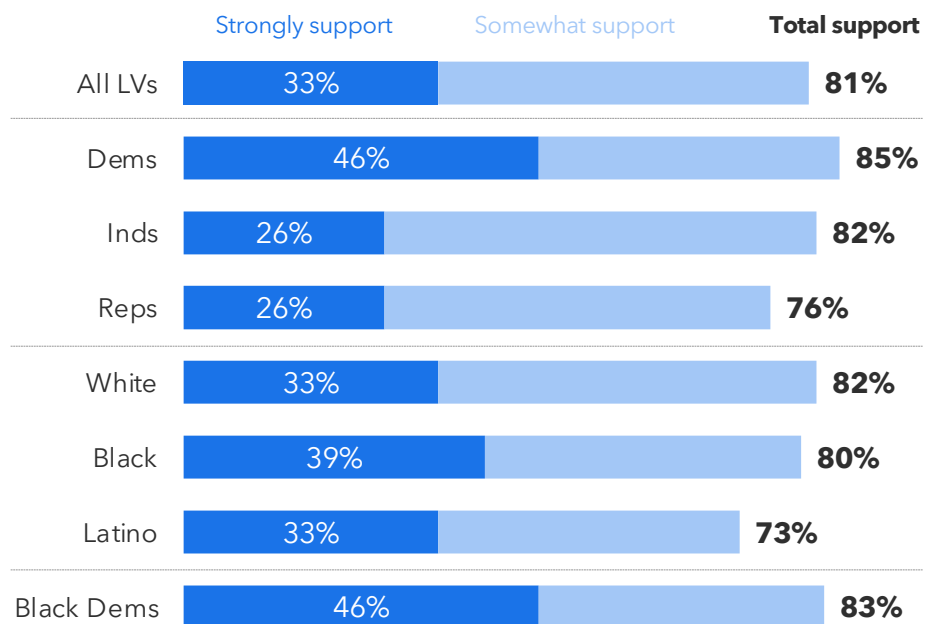
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General Views of Criminal Justice Reform

81% of likely voters support criminal justice reform

	Strongly support	Somewhat support	Total support
All LVs	33%		81%
Dems	46%		85%
Inds	26%		82%
Reps	26%		76%
White	33%		82%
Black	39%		80%
Latino	33%		73%
Black Dems	46%		83%

Support for Candidates

More than half (55%) of voters said they would be more likely to vote for a candidate who supports criminal justice reform.
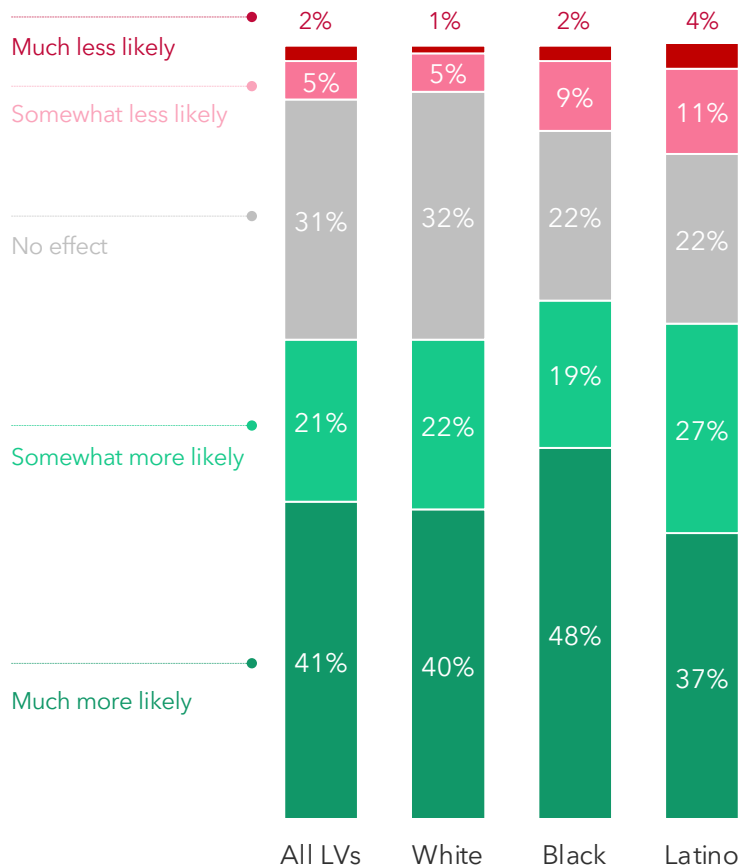
Additionally, a further 35% of likely voters say that a candidate supporting criminal justice reform would not affect their choice in who to vote for.

With only 10% of voters saying they would be less likely to vote for a candidate if they supported criminal justice reform, these numbers show that candidates have little to lose from taking a strong position.
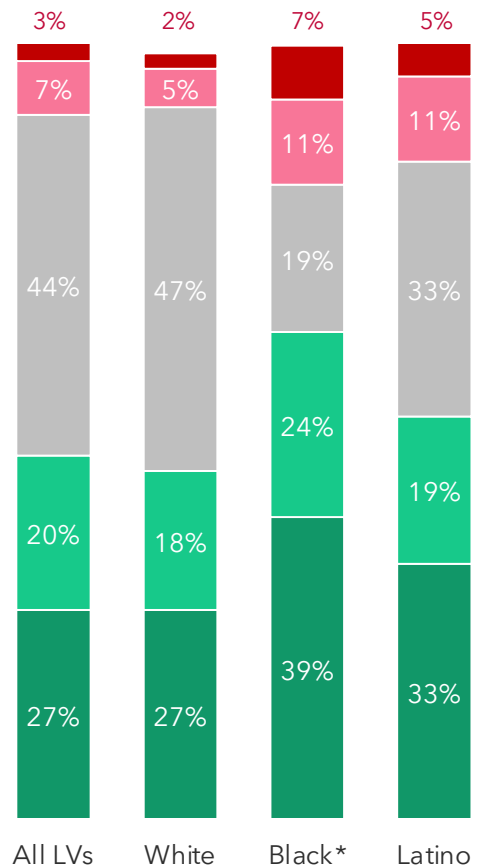
> Would you be more or less likely to vote for [Kamala Harris/Donald Trump] if you knew [she/he] had taken a strong position in support of criminal justice reforms to reduce incarceration rates?

LIKELY/LEANING **HARRIS VOTERS**

	All LVs	White	Black	Latino
Much less likely	2%	1%	2%	4%
Somewhat less likely	5%	5%	9%	11%
No effect	31%	32%	22%	22%
Somewhat more likely	21%	22%	19%	27%
Much more likely	41%	40%	48%	37%

LIKELY/LEANING **TRUMP VOTERS**

	All LVs	White	Black*	Latino
Much less likely	3%	2%	7%	5%
Somewhat less likely	7%	5%	11%	11%
No effect	44%	47%	19%	33%
Somewhat more likely	20%	18%	24%	19%
Much more likely	27%	27%	39%	33%

* Base size <100

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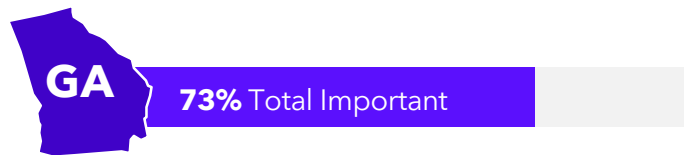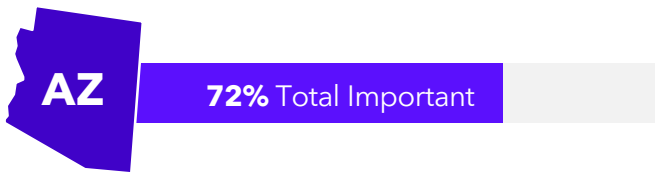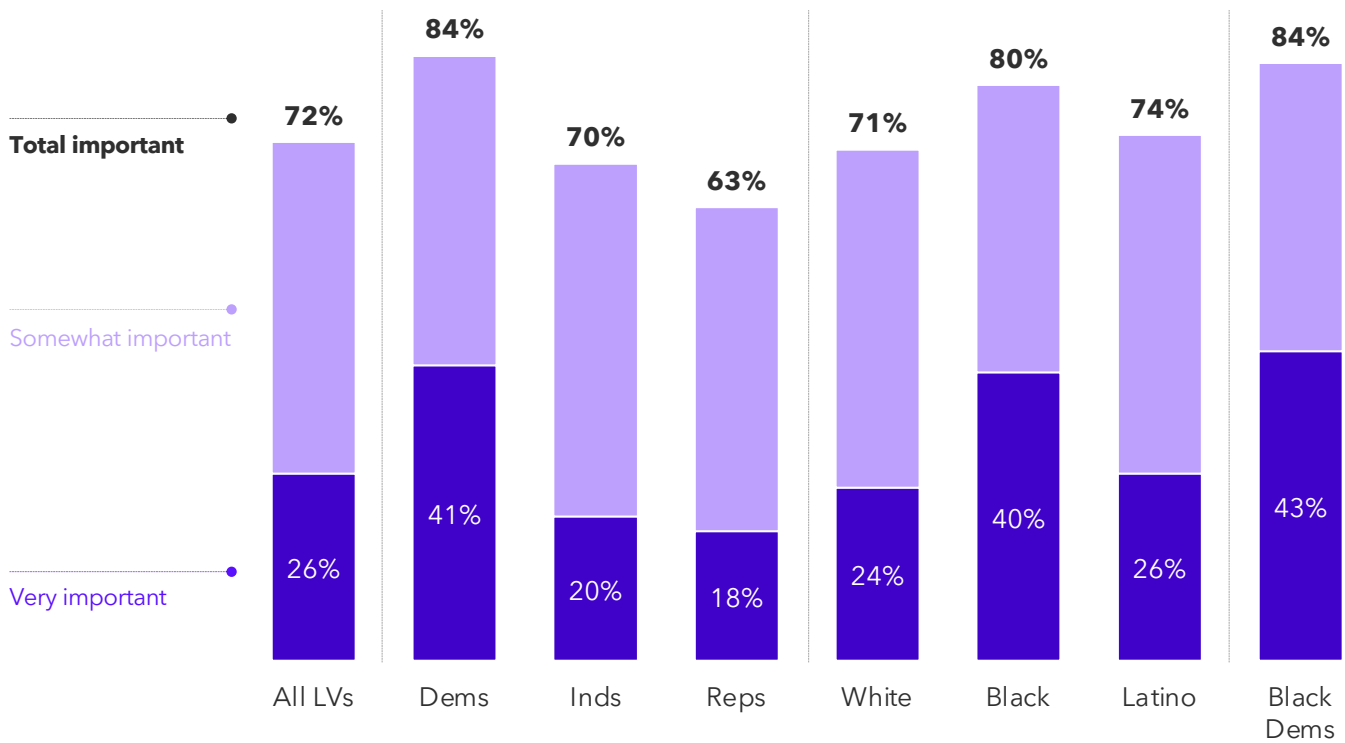
Support for Reducing Incarceration

Nearly 3-in-4 believe it is important to reduce the jail and prison population in the U.S., including over 60% of Republicans and large majorities of Americans of color, particularly Black Democrats. Similar shares of voters in battleground states also believe it is important.
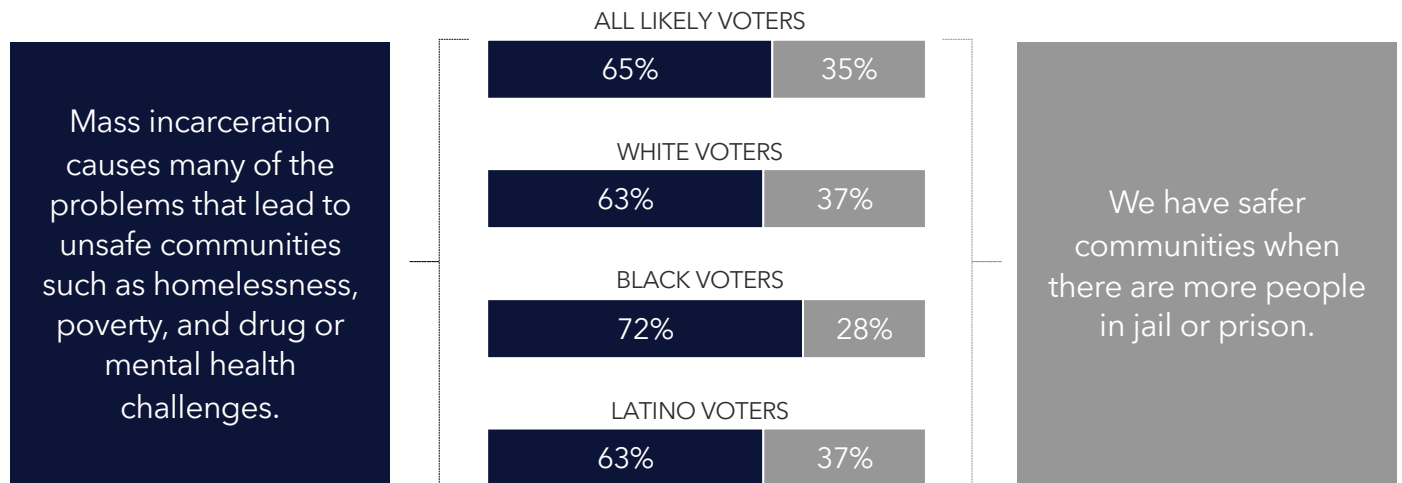
In your opinion, how important or unimportant is it to reduce the jail and prison population in the United States?

	Total important	Very important	Somewhat important
All LVs	72%	26%	
Dems	84%	41%	
Inds	70%	20%	
Reps	63%	18%	
White	71%	24%	
Black	80%	40%	
Latino	74%	26%	
Black Dems	84%	43%	

AZ 72% Total Important

GA 73% Total Important

PA 69% Total Important

MI 67% Total Important

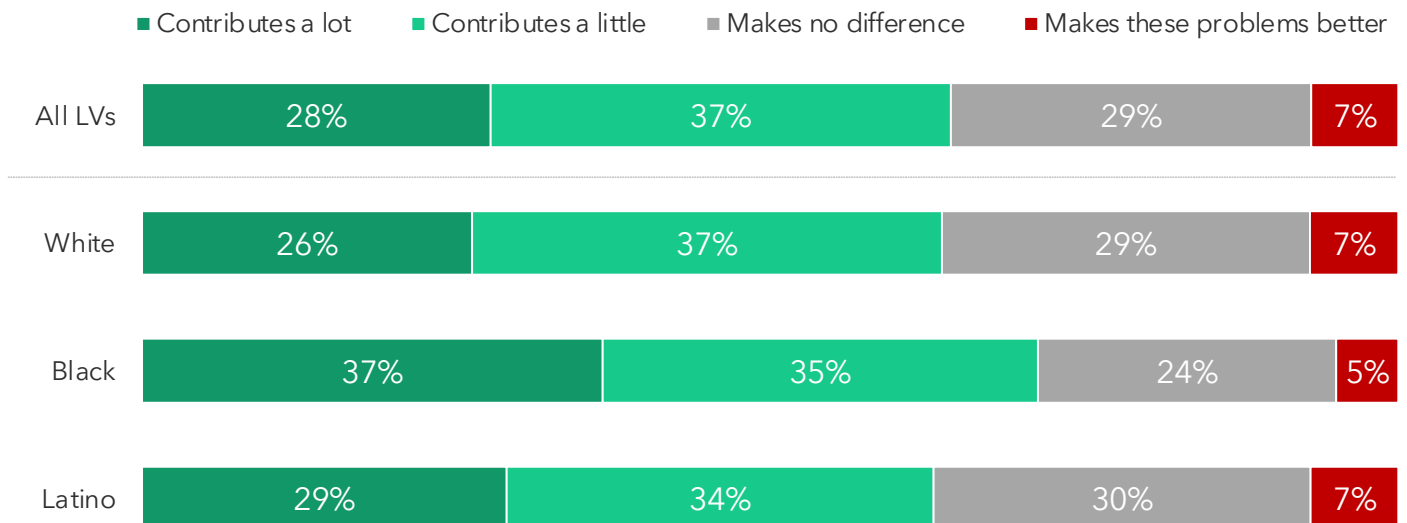BSG   fwd.us

Impact of Mass Incarceration

Voters are much more likely to say that mass incarceration makes communities less safe than they are to say that we are safer with more people locked up.

> In general, which of the following statements comes closer to your view, even if neither is exactly right?
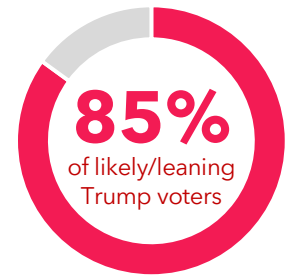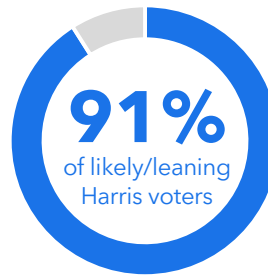
Mass incarceration causes many of the problems that lead to unsafe communities such as homelessness, poverty, and drug or mental health challenges.

We have safer communities when there are more people in jail or prison.

ALL LIKELY VOTERS
| 65% | 35% |

WHITE VOTERS
| 63% | 37% |

BLACK VOTERS
| 72% | 28% |

LATINO VOTERS
| 63% | 37% |

In addition, when asked how much they think mass incarceration contributes to social problems, nearly 2 in 3 respond that it worsens them, as opposed to only 1 in 14 who believe that locking more people up alleviates issues of homelessness, drug use, and overdoses.

> And how much do you think mass incarceration contributes to social problems such as homelessness, public drug use and drug overdoses?

■ Contributes a lot ■ Contributes a little ■ Makes no difference ■ Makes these problems better

	Contributes a lot	Contributes a little	Makes no difference	Makes these problems better
All LVs	28%	37%	29%	7%
White	26%	37%	29%	7%
Black	37%	35%	24%	5%
Latino	29%	34%	30%	7%

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Support for Federal Criminal Justice Reforms

In 2018, then-President Donald Trump signed/ then-Senator Kamala Harris voted in favor of the First Step Act, which was a bipartisan effort to reduce the size of the federal prison population and promote rehabilitation over incarceration. Research has shown that 30,000 people have been released because of the First Step Act and that reoffending rates are lower among this group than among people who did not benefit from the law change. Knowing this, would you support or oppose efforts to build on these reforms including by applying them retroactively and allowing people to apply for resentencing if they were convicted before the law changed?
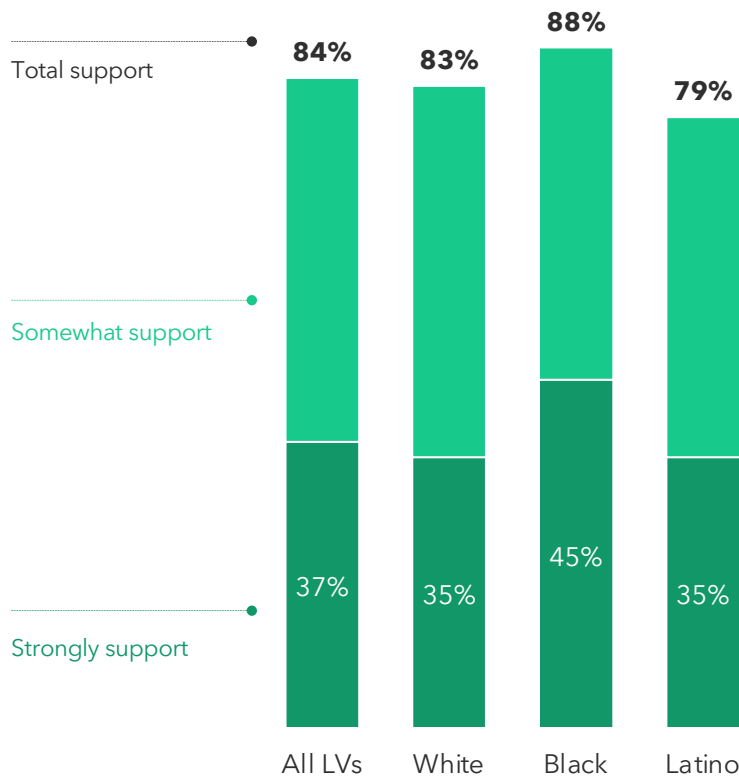
91%
of likely/leaning Harris voters

85%
of likely/leaning Trump voters

Support efforts to build on these reforms including by applying them retroactively and allowing people to apply for resentencing if they were convicted before the law changed
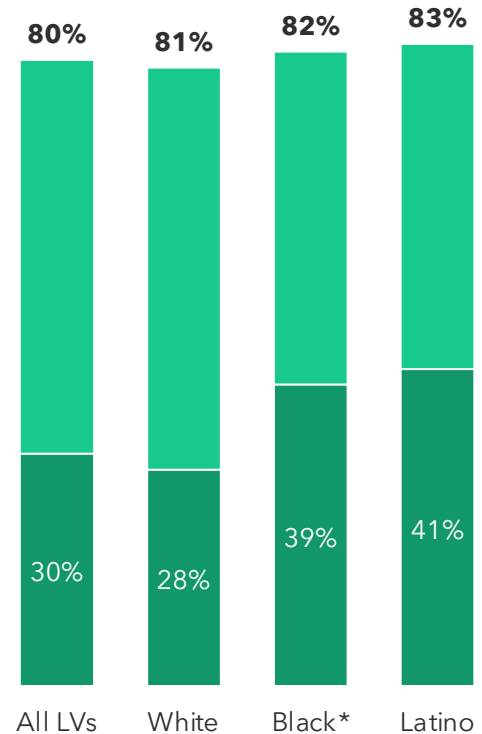
Would you support [your candidate] increasing the number of commutations through executive clemency, which is the authority presidents have to reduce prison sentences, if he/she is elected?

LIKELY/LEANING **HARRIS VOTERS**

LIKELY/LEANING **TRUMP VOTERS**

Total support

Somewhat support

Strongly support

Harris voters
- All LVs: 84% total, 37% strongly support
- White: 83% total, 35% strongly support
- Black: 88% total, 45% strongly support
- Latino: 79% total, 35% strongly support

Trump voters
- All LVs: 80% total, 30% strongly support
- White: 81% total, 28% strongly support
- Black*: 82% total, 39% strongly support
- Latino: 83% total, 41% strongly support

Base size <100

Support for Reforms to Reduce Incarceration

A majority of voters across party lines support a broad array of policies to lower incarceration rates.

% who support each policy change	All Likely Voters	Dems	Inds	Reps
Earned Time: Increasing the amount of time that people can earn off their prison sentence for following prison rules and participating in rehabilitation programs.	80%	87%	80%	74%
Second Look 10 Years: Allowing judges and prosecutors to review cases after a person has served at least 10 years in prison and reduce the sentence on a case-by-case basis.	79%	87%	75%	75%
Reduce Pretrial Detention: Ending the practice of keeping people in jail before their trial if they have been charged with a nonviolent offense	75%	82%	74%	69%
Drug Law Reform: Reducing criminal penalties for possession of controlled substances and treating drug use as a public health issue	73%	81%	72%	65%
Parole Expansion: Allow more people in prison to be considered for release by a parole board	72%	81%	69%	66%
Eliminate Mandatory Minimums: Eliminating mandatory minimums and other sentencing laws that require a long prison sentence rather than allowing judges to determine the appropriate punishment based on the facts of the case	70%	82%	69%	60%
Overhaul Probation and Parole: Ending the practice of sending people to prison for violating the rules of probation or parole (for example, failing a drug test or missing a meeting) if a new crime has not been committed	65%	75%	63%	57%
Reduce Sentence Enhancements: Reducing the number of years that are added to a prison sentence for sentence enhancements, such as second and third strike laws, which require judges to increase the sentence, sometimes up to life in prison, if the person has prior felony convictions	60%	68%	58%	55%