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Re-think Sentencing for Violent Offenders: Philly DA Larry Krasner

By **Elena Schwartz** | July 11, 2018



Philadelphia DA Larry Krasner delivered the keynote address Tuesday at a John Jay College conference on the jail crisis. Photo by John Ramsey/TCR

The nation cannot effectively reduce prison populations unless the justice system changes the way it handles violent offenders and sex criminals, Philadelphia District Attorney Larry Krasner said Tuesday.

“This is the topic that the left and the press never want to talk about, because this is the tough one,” he told journalists at a John Jay College conference.

“Young people are all in favor of legalizing weed, but as soon as you say violent, there’s a certain visceral response,” said Krasner, who delivered the keynote luncheon address at the conference on “Rural (In)Justice: America’s Hidden Jail Crisis.”

“And yet the reality is, if you’re going to take a serious shot at reducing levels of incarceration, you do have to address this issue.”

While he acknowledged that the gravest offenses necessitate long sentences—“none of us are going to tolerate stranger rape, none of us are going to tolerate serial murder, none of us want Charles Manson walking around”—Krasner stressed the exorbitant cost of incarceration, and the potential good those funds could do in other areas.

He estimated that a five-year sentence in Philadelphia cost \$210,000—roughly the same price tag as five public school teachers’ annual salaries.

“We disconnected all of this from the discussion of where the assets might otherwise have gone,” he said.

“Somehow we got to the point where one year just felt like five years, because we’re not talking about \$210,000, or \$420,000, and what that could have meant in terms of prevention in the long term.”

Krasner acknowledged that perpetrators should pay a price for crime, but “the price doesn’t have to be much higher than in every other country, and so debilitating that we bankrupt the public schools in Philly.”

The DA, who was elected last November after a long career as an outspoken public defender in America’s sixth-largest city, entered office with a sweeping plan to transform Philadelphia’s prosecutorial practices.

Less than three months after taking office in January, he issued a memo (<https://www.scribd.com/document/373860422/Finalized-Memo-Mar-13-2018>) instructing assistant district attorneys to cease charging certain offenses entirely, and to charge lower gradations for others.

In addition to declining and lowering charges, Krasner recommended that district attorneys utilize diversion more frequently, implement bail reform, and opt for lower sentences when they do seek convictions.

“Don’t come up with artificial obstacles” to decarceration, he said, citing the example of a statute that prevented undocumented immigrants from being sent to diversion when charged with driving under the influence because they were prohibited from owning a driver’s license.

“What’s the big deal? So you expand it,” he said. “You expand the provisions that allow people to get in, and maybe you require more of those people so that there’s a level playing field. But you expand it.”

Currently, one of Philadelphia’s four jails stands empty, the result of efforts that Krasner conceded began before he was elected but accelerated since he took office. He said he expected the jail population to continue declining, a boon to taxpayers that, he pointed out, has done no discernable harm to public safety.

“The result of all these people getting out of jail is a reduction in homicides, a reduction in rapes, a reduction in armed robbery,” he said. “Shootings are up four percent, everything else in the violent category is down.”

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“Among the property offenses, the bottom line is a zero percent change.”

Krasner said the media and political opponents had warned during his election campaign that his policies would result in Philadelphia being overrun by violent criminals and “zombies.”

“But it turns out when you let some of the zombies out of the jail, they’re not really zombies,” he said.

He added that while he continued to face opposition from tough-on-crime advocates and from the Fraternal Order of Police, a substantial number of Philadelphians welcomed his reforms—including, he noted, the Guardians, the association representing African-American police officers in Philadelphia.

“The jail population...is dropping 13 a day [since] our policies went into effect,” he said. “So there’s no question there’s an impact, and there’s no question that the impact is significant.”

Elena Schwartz is a TCR news intern. She welcomes comments from readers.

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