



Written by [Luis Miguel](#) on May 2, 2022

GOP Forsaking “Criminal Justice Reform,” Returning to Law and Order

Is the GOP beginning to realize pandering won't get it anywhere?

President Donald Trump signed the “bipartisan” criminal justice reform measure known as the First Step Act in 2018, seeing it as a vehicle for making inroads with black voters.

Now, however, most Republicans — including Trump — are uninterested in discussing it, [reverting instead](#) to the traditional tough-on-crime conservative rhetoric. The shift comes as crime has spiked throughout the country, a trend Republicans say is caused by Democrats' permissive policies.



The rampant lawlessness made crime a top concern for voters, and the GOP is taking full advantage of the situation with support for enhanced policing.

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The decision to abandon a focus once intended to win over minorities and moderates could be seen during the Supreme Court confirmation hearings for Judge Ketanji Brown Jackson, during which Senate Republicans made criminal sentencing a main focus of their questioning.

And during a Republican debate last week for Georgia's hotly contested governor's race, former Georgia Senator David Perdue and Governor Brian Kemp clashed in a debate over who and what is to blame for rising crime in the state.

“The focus has changed because the situation has changed. We're not the same country,” said Republican pollster Frank Luntz.

Republicans who supported the First Step Act fear current rhetoric freezes momentum for further criminal justice reform.

“I personally think there's just as many people that want to do criminal justice reform as the last several years, but I think their voices are quiet now, and those that are opposed to the First Step Act are still opposed and have gotten louder,” said Brett Tolman from the conservative group Right on Crime. Tolman added that much work continues behind the scenes. “It feels like we just have to bide our time a bit and get past when the emotion of all of the political rhetoric is at the forefront.”

The First Step Act aimed to shorten sentences for nonviolent drug offenders and improve incarceration conditions at the federal level while seeking to address racial inequalities in the justice system.

It took some convincing to get Trump on board with the legislation. Then-Senate Judiciary Chair Chuck Grassley (R-Iowa) and Trump's son in law, Jared Kushner, labored to persuade the 45th president that



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the bill would not only not hurt his law-and-order image, but give him a political boost. Then came the support for the First Step Act from celebrities such as Kim Kardashian, further convincing Trump that the legislation would help him corner new demographics.

Initially, Trump was proud of his role in making the First Step Act a reality, per those close to him. He went so far as to brag about it, hosting a prison reform summit at the White House and airing a Super Bowl ad featuring Alice Johnson, a black woman and first-time drug offender whose life sentence he pardoned in 2018.

But on the 2020 campaign trail, Trump instead called out Democrats for their calls to defund the police, becoming more skeptical of the First Step Act amid the violence that broke out in the aftermath of George Floyd's death.

"President Trump was always skeptical that it was the right policy and that it would be received well by voters, and he has remarked to almost anyone who'd listen that it was something Jared talked him into," said one former Trump official. "There's always a certain push and pull with President Trump between being the hardliner and the deal-maker and this is a classic example of where that conflict emerged in the policy sense."

Politico notes of the pro-criminal justice reform faction of the GOP:

Republicans who support reforms say the party can be both in line with that vision and adopt a tough-on-crime posture — that voters will be able to differentiate between crackdowns on violent crime and accountability in the justice system.

"Reform and calling out truths can coexist. It's not a binary decision. And there are achievable solutions available," said Zack Roday, a Republican political strategist.

But trends aren't helping the reformer's cause. In the past year, violent crime rates have risen dramatically, with at least 12 major U.S. cities breaking annual homicide records in 2021. Recent polling reflects public concerns about rising crime rates and dissatisfaction with how public leaders are addressing the problem. Republicans pointed to the trends as evidence of a Democratic failure.

"After blocking common sense police reform, enacting soft-on-crime policies, and cheering to defund the police, [President Joe] Biden and Democrats' words and actions have come to fruition as American cities face record surges in crime," said Republican National Committee spokeswoman Emma Vaughn. "Democrats may be too out of touch surrounded by private security to know the reality of rising crime, but for Americans the consequences of their policies are very real."

Perhaps the experiment with "criminal justice reform" and the resultant pushback from the base should serve as a lesson to the GOP: Stop trying to please those who will never support you and focus on the country's true needs, not celebrity-friendly social-justice causes.



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