



**Josie Duffy Rice:** Today, 30 years after the Crime Bill was signed, some who supported the bill back in 1994 have expressed something like regret in the years since. Halting regret, perhaps. Reticent regret. But regret all the same. But not everyone has been surprised by the failures of the bill, or by mass incarceration in general. Some people—even some elected officials—had the sense that the '94 Crime Bill was not the answer that others swore it was. Many of those people, as it were, were Black, and were skeptical of the lectures they were getting from the president and others, some of which had gotten extreme. Here's a clip from the show *Sunday Journal* on C-SPAN in November of 1993, ten months before President Clinton signed the legislation.

[Begin clip]

**Reporter:** *"The President spoke from the same pulpit where the late Reverend Martin Luther King delivered his final sermon the night before he died in Memphis 25 years ago. Here's part of what the president had to say."*

**President Bill Clinton:** *"I did not live and die to see young people destroy their own lives with drugs and then build fortunes destroying the lives of others. That is not what I came here to do."*

*[crowd applause]*

*"I fought for freedom," he would say, but not for the freedom of people to kill each other with reckless abandon, not for the freedom of children to have children and the fathers of the children walk away from them and abandon them as if they don't amount to anything.*

*[crowd applause]*

*I fought for people to have the right to work, but not to have whole communities and people abandoned. This is not what I lived and died for. My fellow Americans, he would say, 'I fought to stop white people from being so filled with hate that they would wreak violence on Black people. I did not fight for the right of Black people to murder other Black people with reckless abandon.'"*

*[crowd applause]*

[End clip]

**Josie:** Looking back, this feels.... pretty galling. But the president and his allies were pulling out all the stops to convince—or maybe guilt, given the invocation of MLK as if his spirit was speaking directly to the President—Black people, in particular, that a “tough-on-crime” bill

was necessary. But, again, some were not convinced. Here's Kweisi Mfume, former chairman of the Congressional Black Caucus, being interviewed on C-SPAN in 1994.

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**Kweisi Mfume:** *"The Congressional Black Caucus worked very hard from the time the Crime Bill was first introduced to give it, quite frankly, the kind of balance and fairness that it lacked. We led the fight to make sure that crime prevention programs were crafted and properly funded. Our belief was then, and it remains now, that prevention and punishment should go hand in hand."*

[End clip]

**Josie:** And here's Former House Representative Charlie Rangel, talking to a reporter two weeks before the bill was eventually passed.

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**Reporter:** *"But how would you vote on the Crime Bill now?"*

**Rep. Charles Rangel:** *"No."*

**Reporter:** *"You would... so, explain that?"*

**Rep. Charles Rangel:** *"...Right. Well, as most people—this is a political bill, you know, cops, jails, mandatory sentences, it has very, very little to do with the reduction of crime and has a lot to do with the re-elections of members of Congress ... Is there consensus that it would be in the best interest of the community and on the question of the bill, that's between me and my judgment... Let me tell you this: some of the provisions that had been placed on this bill are only for vote-getting reasons. You get things involved with crime, and you find that even though the majority of the people that do drugs in this country are white, but the majority of the convictions of people who are Black, when you find that they treat cocaine users who are basically white, a lot more lenient than crack users majority of Black, then you can easily find out that, under these statutes, most of the people that will be arrested, are those that are in the Black community where you do have the highest crime, the highest drug use, the highest violence. And so the answer has to be: why do we find so many of these minorities in jail? Is that because of their color? No! What do they have in common? Lack of education, lack of training, lack of job opportunity, living in poor communities. Now, if you find people with the same color, with education, with job training, they are not in our jails. So the answer has to be not the political solution—more cops, more jail-mandatory sentences, and death penalties. The answer has to be—not just say no."*

[End clip]

**Josie:** Many of these Black voices were drowned out by people like Clinton, Giuliani, and others. Before President Trump appointed Barr as Attorney General in 2019, President George H.W. Bush appointed him as Attorney General in 1991. And in 1992, a week before Clinton beat his boss at the polls, Barr wrote a report called “The Case for More Incarceration,” where he called for locking even more people up. The report read: “Prisons do not create criminals. We are not over-incarcerating. In fact, we could reduce crime by simply limiting probation and parole—by putting criminals in prison for a greater portion of their sentences.” Barr argued that we were harming communities and wasting money by worrying about incarcerating too many people—that more incarceration was good for communities, not bad. But he was wrong. Here’s Jocelyn Fontaine, Vice President of Strategic Program Development at the Urban Institute:

**Jocelyn Fontaine:** The incarceration of just one individual has significant impacts certainly on that person and their later trajectory in life. Their physical and their mental health, but it also has an impact on families and children of that incarcerated person, as well as on the communities from which that person left to go to prison from, as well as the communities that they return to. So I think a lot about all of those downstream or collateral consequences, the impact that the incarceration of one individual has on families and society. And when you take that broader lens, that broader perspective, we know that the answer to the question about the efficacy of incarceration as a public safety strategy is that it is not an effective crime control strategy.

**Josie:** We’ve talked about what incarceration does to individuals, but no one is an island. When we discuss the casualties of mass incarceration, we can’t forget the ripple effects—what it’s done to families, to communities, and to many cities and towns across the country.

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**Josie:** On the 30<sup>th</sup> anniversary of the 1994 Crime Bill, we take a brief look back on where we are, where we’ve been, and most importantly, what comes next. I’m your host Josie Duffy Rice, and from the Vera Institute of Justice; this is *The 30 Year Project*. Episode 3: Place. Back in 1994, many of the politicians and pundits were highly focused on the, quote, “illegitimate child.”

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**Dan Quayle:** *“The road that we have traveled, our public policy today, unfortunately, reflects a philosophy of rights and entitlements rather than responsibility, and this cavalier attitude toward values is felt most painfully in fatherless homes... about 60 percent of children born in the 1990s will not spend—will not spend their childhoods with their fathers.”*

**Reporter:** *“Is there some consequence for having another illegitimate child?”*

**Gov. Donald Schaefer:** *“The extreme proposal would be require women to take Norplant or get Norplant or get—or require men to have a vasectomy, or they'll have a—if they're on welfare and have a number of illegitimate children...”*

**Bob Dole:** *“One of the root causes of crime, which is family breakdown and the staggering rise in illegitimate births...”*

[End clip]

**Josie:** Much of the discussion around this issue was extremely racially coded.

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**George Wiley:** *“Oh, let's not stigmatize anybody for having illegitimate children. We can't do that anymore. Never mind that you're bringing kids into the world that you can't take care of... No, we don't want to stigmatize somebody for being so damned irresponsible that they do that kind of thing. Let's not stigmatize the guy that goes up and impregnates teenage girls and then goes out and steals money not to help his wife, his children-to-be, or his girlfriend 90 percent of the time, but no, instead to buy sneakers...”*

[End clip]

**Josie:** David Duke, notorious racist and former presidential candidate, was also focused on this, saying:

[Begin clip]

**David Duke:** *“I was the first candidate to talk about real welfare reform and saying it's time to reduce the illegitimate welfare birth rate in America.”*

[End clip]

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**Josie:** This obsession with children born to single parents was rooted in a different obsession with welfare reform. This was the “welfare queen” era—a racist, inflammatory stereotype of lazy moochers living off the government and popping out kid after kid. Bill Barr, too, had a lot to say about “illegitimate children.” In 1992, on ABC, he said, “We now have a situation in the inner cities where 64 percent of the children are illegitimate, and there's a very small wonder that we have trouble instilling values in educating children when they have their home life so disrupted.” But there was seemingly a total disconnect between Barr's condemnation and the realization that what he was doing was creating the very problem he said he wanted to solve. For there has been no bigger harm done to the American family than mass incarceration.

Some literature calls these families the, quote, “hidden victims” of the system—but they weren’t really hiding—it’s just that many people weren’t looking. Here’s Zoë Towns, the executive director of FWD.us:

**Zoë Towns:** There's so many ways to think about who's involved in the criminal justice system, but one way that we think a lot about it at FWD is it's a question of just sort of American families. So, in 2018, we did a survey to try to understand for the first time how many people had experienced incarceration directly in their immediate families, and we thought the number would be high based on just sort of our own experiences, and we did not know that the number would be as high as it is. It is one in two Americans have experienced incarceration in their direct families. That rate is the same for families that identify as, you know, Republican or Democratic voting. Exposure rate does increase from there for families who are living in poverty, for families that are living in the south. The rate is two and three for Black families, which is to say, like, the people who are affected by mass incarceration are not necessarily other people so much as they are our people. And, for many, many Americans, that means we're talking about brothers and grandparents and children and aunts.

**Josie:** This is a remarkable statistic. Half of American families have experienced the incarceration of a family member. There may be no more powerful engine of family disruption—of family separation—than our criminal legal system. The consequences of having a family member incarcerated—particularly an immediate family member—are almost immeasurable. There’s the obvious—that a person you love and care for is missing, but it goes beyond that. Here’s Jocelyn Fontaine again.

**Jocelyn Fontaine:** We need to think about more as incarceration is not just having an impact on the individual, but family members in a number of ways: emotional, material or financial, housing stability, residential stability, trauma, stigma, various ways in which family members and children are impacted by incarceration of a family member.

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**Josie:** So let’s talk about children: a group that every politician professes to want to protect. Specifically, children with incarcerated parents. According to the Prison Policy Institute, “Nearly half (47 percent) of the approximately 1.25 million people in state prison are parents of minor children, and about one in five (19 percent) of those children is age four or younger.” Children with incarcerated parents perhaps bear the most severe consequences outside of the person actually in prison. On a basic level, they experience what experts call, “ambiguous loss,” in this case, the functional loss of a person who is still alive. Arrests are often sudden and unexpected, and children’s lives often change on a dime, especially those with an incarcerated mother. 90 percent of the time, when a father is incarcerated, his children's mother remains the caregiver. But when a mother is incarcerated, her children often have to uproot their lives and move. Only about 30 percent of kids with incarcerated mothers live primarily with their fathers. Usually they end up with other family members—often grandparents. And as you can

imagine, those children are more likely to end up in foster care, as well. Children with incarcerated loved ones are more likely to be depressed, they have more trouble in school. Some studies show that these children are more likely to show signs of, quote, “antisocial behavior,” which is likely a reflection of the fact that many of these kids go through this trauma and pain without any support or mental health help. Other studies have found cognitive impacts of having an incarcerated parent. Some studies have found that children of incarcerated parents are more likely to be suspended or expelled.

And it’s probably not surprising to learn that children with incarcerated parents are more likely to end up incarcerated themselves. Even simply visiting an incarcerated parent is difficult. According to the Prison Policy Institute, “two-thirds of parents in prison with minor children have never received a visit from them.” Part of that is because of how far away they tend to be—one survey found that two-thirds of people were in prison more than 100 miles from home, and ten percent were at least 500 miles away. Another reason, though, is because many incarcerated parents don’t want their children to see them in prison. It’s disturbing, it could be traumatic, and so many parents forgo the opportunity to see their children at all rather than have them have to see them there. Another factor worth considering when it comes to family: women with incarcerated loved ones. Here’s Vivian Nixon, writer in residence at the Columbia Justice Lab Square One Project.

**Vivian Nixon:** It was impacting us then because we were primary caretakers of children: we were running households, we were surviving in communities that would—had been stripped of the resources, of a lot of the men in our communities, who were contributing to the sustainability of those homes and those families and those communities.

**Josie:** One person who thinks about this issue in a particularly moving way is Gina Clayton-Johnson, the Executive Director of Essie Justice Group, an organization focused on women with incarcerated loved ones, which describes many women. Because while most incarcerated people are men, they are often supported by women—mothers, girlfriends, grandmothers, sisters. A few years ago, Essie surveyed 3,000 women with incarcerated loved ones to find out how their lives were impacted.

**Gina Clayton-Johnson:** What we found were impacts along four areas. They were economic, right? Direct costs. So, women with incarcerated loved ones, we pay the bail agents, right? We pay prison phone calls. We pay for soap, and for, you know, basic needs that the majority, I think, of people would assume just, kind of, comes with the all inclusive package or whatever people think that is received when you go to prison. What’s actually true is that it is women with incarcerated loved ones who are paying for the basic needs of incarcerated people to be able to exist with dignity inside of an incarceration experience. So the costs are significant, and substantial, and it’s caused a tremendous amount of debt, and more housing instability, and other things.

**Josie:** Let’s talk about those economic costs, because incarceration is expensive. One 2015 study found that the average debt for court-related fines and fees was more than 13,000 dollars. And that doesn’t even count the other costs—like attorneys’ fees, for example. And

that same study also found that, in cases where family members were primarily responsible for court-related costs associated with conviction, 83 percent of those paying family members were women. Here's Zoë Towns again:

**Zoë Towns:** Whether that's for phone calls, which are gouged up by private providers who charge much more than we have to pay on the outside to people who need to call their loved ones behind bars, whether that's in the price gouging that impacts packages that are being sent in, whether that's in the fact that so many families need to move to be closer to where their loved one is being incarcerated or travel to go and visit them. These are, you know, prisons that are three, four, five hours away, oftentimes in rural places with only a couple of hotels. You're having to pay for that as well. There are so many costs, and that's before you take into account just the loss of wages and the loss of contribution that families experience when an adult is taken out of their family, and out of their household income, not to mention child care costs when you've removed an adult or a parent. But there's also just a dollars and cents cost to the ways in which incarceration has exacerbated wealth inequality. And because of all of the racial disparities and, you know, moving through the criminal justice system really had an outsized impact in increasing the racial wealth gap.

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**Josie:** And again, that's just one of the four areas of impact that Essie Justice Group's survey found. Here's Gina Clayton Johnson again.

**Gina Clayton-Johnson:** The opportunity costs, we've actually found that a large percentage of the women that we spoke to and surveyed would forgo educational opportunities—personal educational opportunities, or job opportunities, because of someone they love's incarceration. The other was physical health impacts—that the impact of having a loved one incarcerated was actually having an impact on people's well-being on a physical health level, and then finally on a mental health level. 86 percent of the women that we surveyed said that, because of having a loved one incarcerated, they were experiencing significant or extreme mental health impacts. We have seen suicidality, depression, women, you know, just not being able to get out of bed because of the sheer heaviness of this experience.

**Josie:** Gina began to notice a debilitating element of having an incarcerated loved one— isolation. Incarceration is an isolating experience—both for those in the system but for those connected to it, too. The stigma. The lack of community. The energy and resource that goes into a person who is simply outside of your day-to-day life. Here's Gina again.

**Gina Clayton-Johnson:** Every single woman with an incarcerated loved one that I spoke to wanted to talk about isolation. That's what they wanted to talk about. And it was like over, and over, and over, and over again to the point where I realized at some point, I was like, oh my gosh, like, isolation and loneliness is killing women. Like I said before, you know, the suicidality, the levels of depression, the realities of

what becomes impossible when you are separated from people who you need and love, these things are real.

**Josie:** The surgeon general of the United States, Dr. Vivek Murthy, produced a report in 2022 called, “Our Epidemic of Loneliness and Isolation.” The report found that this nationwide epidemic of isolation and loneliness is, quote, “associated with a greater risk of cardiovascular disease, dementia, stroke, depression, anxiety, and premature death.” According to the report, quote, “The mortality impact of being socially disconnected is similar to that caused by smoking up to 15 cigarettes a day, and even greater than that associated with obesity and physical inactivity.” And this epidemic of isolation is particularly pronounced in women with incarcerated loved ones. This is what we mean when we talk about ripple effects—because ultimately, what incarceration does is destabilize more than just the lives of those who go in. And much of that impact goes unaddressed by the broader cost/benefit analysis of our system. Here’s Gina again.

**Gina Clayton-Johnson:** What does that mean when this is happening? We should care about that happening to anybody, but I think we also need to understand what does it mean when that is happening to the caretaking infrastructure of this country, right? Which are Black and brown women. What does it mean when we have one in four women who are dealing with this, not able to get out of bed, but they’re the ones who are clothing the kids, taking them to school, reinforcing confidence, and emotional needs, and support, and creating bonds, and going to play dates, and doing, you know, like, all of the things that we know are what our communities need to be well, and safe, and whole.

[Music]

**Josie:** We’ve touched on what incarceration does to families. But what about the broader community? Crime and criminalization are not evenly distributed. Though our country is plagued by mass incarceration, many middle and upper-class neighborhoods have been barely touched by it. And, as we know, poverty is correlated with mass incarceration. People who enter the system are more likely to be low-income, in part because of the ways in which we criminalize poverty. But the correlation between poverty and incarceration isn’t just individual. It’s not just familial. It’s even broader. It’s the entire community. Back when Bill Barr wrote, “The Case for More Incarceration,” he noted—and quickly dismissed—concerns about the impact of incarceration on Black communities, saying that more incarceration is especially good for Black communities because they are more likely to be affected by crime. But what he didn’t mention, of course, were the costs. And many of these costs go back to not just incarceration, but its attendant collateral consequences.

Because even upon release, people with criminal records are excised to the margins of society in ways that harm their broader social environment. They have a harder time getting housing and finding a job, especially any job that requires a license. They sometimes can’t get insured, or can’t get a loan, or can’t get social security payments, or can’t open a bank account. And this makes reintegration virtually impossible and depresses the economic viability of their neighborhood. In most places, communities with high incarceration rates are also faced with the loss of political and civic power, as well. In most states, criminal



convictions result in the loss of voting rights, either permanently or until a person finishes their entire sentence, including probation and parole. And that means that in neighborhoods with high incarceration rates, big swaths of the community are unable to vote. This is bad on multiple levels—for one, studies show that civic engagement is a useful deterrent. But it also reduces the broader political power of that neighborhood. Here's David Ayala, the Executive Director of the Formerly Incarcerated, Convicted People & Families Movement:

**David Ayala:** I mean, the definition of democracy is to be ruled by the people. So the moment that you exclude a specific group of people, we're no longer living in a democracy, you know what I mean? You are, you have come to a point where you are impacting the voting process, as well as manipulating who's actually involved, by eliminating a group of people that can vote, and I truly believe that that's the goal.

**Josie:** When communities have high rates of incarceration, they are less likely to have political power. And without political power, those communities are less likely to be on the receiving end of positive investment. Money is spent towards policing and surveillance, for example, rather than better schools and programs, and infrastructure to stem the tide of harm. Here's Kim Foxx, the State's Attorney in Cook County, Illinois. She's the head prosecutor in Chicago:

**SA Kim Foxx:** There was a study that was done a few years ago by University of Illinois, Chicago called "Million Dollar Blocks,". and they were looking at neighborhoods where we saw high levels of incarceration and how much it costs to incarcerate them, right? Like, what is the dollar amount that was affixed to that? And then you look at these neighborhoods and, you know, some neighborhoods were tens of millions of dollars that don't have a library. That don't have these pro-social things that we know have an effect that tends to, like, reduce crime. And the absence of these folks are not just throwaways, again, they're tethered to the communities in which they live.

**Josie:** Even if you've never lived in a neighborhood like this, it's not difficult to imagine that suddenly incapacitating a significant number of people around you would have its destabilizing effects. I asked David Ayala, about what incarceration does to communities:

**David Ayala:** I think the, just mentally, like, as I think back, not knowing if the person, you know, that you call your friend, if you're going to see him tomorrow, you know, or going through that experience where you saw someone, and the next, you know, hour later, or the next morning, they're like, yeah, this person got locked up, and you're like, wow, like, I was just with them.

**Josie:** David pointed out another harm to the community—the normalization of incarceration. It reminded me of a story that Gina told me—about a young woman she spoke to whose father had been in prison:

**Gina Clayton-Johnson:** She says: the thing that, I didn't ever realize that, even though I, and this is what I would have wanted different, was I never realized that it wasn't

normal. Everybody that I knew in my community, the way that this truth was also communicated to me, it felt like, oh, this is normal.

**Josie:** There's more. Studies find that neighborhoods with high incarceration have high rates of diabetes, psychiatric hospitalizations, infant mortality, as well as premature mortality. High rates of incarceration make poor neighborhoods even poorer. And, contrary to Barr's claim, evidence suggests that high incarceration levels in a neighborhood result in more, not less crime. While we may think of mass incarceration as being a, quote, "urban" problem, it's clear that all sorts of communities have been hit. And in smaller communities, the effects can be even more extreme. Here's Zoë Towns again:

**Zoë Towns:** Incarceration rates are oftentimes higher when it comes to rural communities. So, while the numbers of people going to prison, the pure numbers oftentimes are highest coming from urban areas and suburban areas, the rates of incarceration, so the exposure rate of punishment is often highest in some of the most rural areas.

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**Josie:** The Vera Institute of Justice tracks geographic trends in incarceration. And what they've found is that while jail populations in big cities began to decline in the early 2000s, they've risen dramatically in smaller cities and rural areas. Today, roughly half of all people incarcerated in local jails are from those smaller or rural communities. Another crucial thing to remember is that prisons themselves are usually in these areas. In fact, many of these places fought for prisons to be built in their community, as politicians promised that new prisons could bring jobs and economic opportunity. Here's John Pfaff, professor of law at Fordham Law School:

**John Pfaff:** Sometimes people phrase it as: prisons are the way we sort of provide rural welfare to white rural America. In places like New York state, prisons are a jobs program more than anything else. And so it's perhaps not surprising that, you know, even as crime is going down, we're going to keep building up and funding prisons.

**Josie:** There are benefits that these smaller areas get from local prison development. One of the clearest ones is political power. That civic power lost from communities with high incarceration rates, in many places, it's transferred right over to these small prison towns, thanks to the discriminatory policy of prison gerrymandering.

**John Pfaff:** The other thing prisons do, they don't just move money to, sort of, create jobs in rural America. They also transfer political power to rural America because in, I think it's still about 40 States, people who are currently confined in prisons cannot vote, but they count as a full person for drawing legislative maps, right? And so the people in prisons are disproportionately Black and brown people who come from cities, who then get moved out to rural America where they count as a person for drawing the state districting maps, but can't vote, right? No vote, no say.

**Josie:** But even given the benefits of local prison development in these rural areas, the upsides are not always as straightforward as they seem. Very often, these “good jobs” don’t go to local community members. The prison policy found that, quote, “local workers are often rejected from these jobs because of symptoms of local poverty: bad credit histories, low levels of education, criminal records, drug use, age, and even a lack of prior experience puts locals at a disadvantage compared to those from other areas.” Back in 1992, as Bill Barr argued for more prisons, more incarceration, and more punishment, he said, “We have been trying to address the root causes of violent crime in this country for the past 25 years. We’ve been spending trillions of dollars. And we’ve built housing projects only to see them taken over by drug addicts, and we’ve built schools to see them become battle zones.” Here he is on CNN’s Crossfire back in 1995, responding to host Bob Beckel:

[Begin clip]

**Bob Beckel:** *“There are—these prisons are overcrowded. Lots and lots of people in there for drug use. You’re seeing these disturbances in federal prisons. Doesn’t it worry you that it seems that prison seems to be the only real answer to this right now and that, ultimately, has got to lead to overcrowding and an explosion?”*

**William Barr:** *“Prison is not the only answer, but you can’t have an answer at all unless you have a strong criminal justice system. No country has reduced drug demand or anything else unless it has a very strong, zero-tolerance policy on drugs, and if we abandon it, there’s going to be no hope for the Black community.”*

[End clip]

[Music]

**Josie:** In many ways, the country took his advice. From 1982 to 2012, government spending on the justice system tripled. We spend more than 80 billion dollars a year on mass incarceration, and that doesn’t even count the expense to individuals and families. And even people without direct or indirect contact with the system—have paid the price. Here’s Gina Clayton-Johnson talking about the effect that a system like this has on all of us, not even just the communities who have been worst hit.

**Gina Clayton-Johnson:** Prisons are schools of patriarchy and individualism. And when people go to prison, they’re learning something, you know? And even when they’re not in a program, you’re learning something about yourself, about who you are, about who you need to be, about who you aren’t. I would like for there to be attention to, kind of, some of these realities that have such a tremendous, like, more than ripple effect—a tsunami wave impact on how we do the work of being together in this society and world. Which prisons have really, like, they’ve changed how we are together as people. And I think that they’ve made us all, regardless of if you’ve been incarcerated or not, like, more fearful, less accountable, less, I think, trusting of our own abilities to manage conflict and challenging human things.

**Josie:** I mentioned that many Black leaders were worried about the punitive effects of the '94 Crime Bill. Here's Reverend Jesse Jackson, then President of the National Rainbow Coalition, at a forum on criminal justice the same week the bill was signed:

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**Rev. Jesse Jackson:** *"If Reagan had proposed ten billion dollars in new prison construction, while school systems in DC closed because of lack of capital improvement, and others should be closed for the same reason, there'd have been massive demonstrations. Reagan could not have put through this Crime Bill. Bush could not have put through this Crime Bill. It's a combination of Kool-Aid and cyanide. And those who try to trade Kool-Aid off from cyanide didn't read Jim Jones' story."*

[End clip]

**Josie:** Even in the final weeks of the bill's negotiations, many Congressional Black Caucus members expressed their hesitancy in supporting the final legislation. Here's Kweisi Mfume again, being interviewed on C-SPAN in 1994.

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**Kweisi Mfume:** *"It was again the Congressional Black Caucus that brought moderation and balance to this Crime Bill ... All of that brings us, quite frankly, to where we are today in our efforts to still attempt to bring fairness and balance to this Crime Bill ... Unfortunately, that was not enough for this President, and that was not enough for this White House."*

[End clip]

**Josie:** And yet, in the end, 26 out of the 38 members of the Congressional Black Caucus voted for the '94 Crime Bill. For many, it felt like this was the best bill they were going to get. Here's H.T. Smith, former president of the National Bar Association:

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**H. T. Smith:** *"There's the view espoused by one of the preeminent Black leaders of America and shared by some—that says, the Crime Bill should be opposed and it's bad because it's Kool-Aid and cyanide, and those—there are those like me who share the view that it was a foregone conclusion that draconian, punitive measures were going to be implemented, and as this punitive measure moved forward, were you going to try to get the best preventive measures in the bill to ensure that in this process—this legislative process—we would be able to move forward?"*

[End clip]

**Josie:** After he decided, somewhat reluctantly, to vote for the bill, John Lewis said, "It's been one of the most difficult decisions I've had to make in the eight years since I've been here. It was much easier to march across the bridge in Selma or go on the freedom rides." It can be hard to remember that the impact of mass incarceration is not just what it's doing to us today, but what it's doing to our futures. How it affects the next generation, and the next, and the next. Here's Kim Foxx again:

**SA Kim Foxx:** It's a generational impact, and I don't think people appreciate it. I think people think of the individual, you do the time, and it's like, all right. It's not just that individual; they are attached. No one is in this world alone. And so if you are a parent of a child, you know, there's study, after study, after study, that talks about the negative consequences of a child who has a parent that goes away to prison. That is a parent who is not there to meet the emotional needs of a child, to, you know, advocate for them in educational institutions, to be able to provide stability within the home. That destabilization of a missing parent, then if there is another parent in the home, the overwhelming stress for them to make up for that. From an economic standpoint, you know, drawing your ability to contribute to your community away is destabilizing just for the community. And so the immediate impact on a child, and the likelihood that that child will have adverse effects, and then their children and how they live, it is generational.

But for the community, where we really just take people and render them almost incapable of ever reintegrating. Because once you get the conviction, right, like we talk about what it means to be away, to have the absence from community and family. And then very few people stay in prison for the rest of their lives. You know, the overwhelming majority of people will come out. But now I can't get a job. And I go back to a neighborhood that is so economically depressed, where the only industry is an industry that is not legal. And we are surprised that folks aren't doing better. We just are like, why? Why aren't you doing better when we know that you can't get a job? When we know that your prospects for getting better housing are diminished all from the conviction. And this notion that, well, it's up to that individual. They put themselves in this condition. And I look at neighborhoods where this has been a systemic issue for decades, that is not individual. It's not. I believe people should be accountable for their actions. But I also believe it's disingenuous to say that we've not created conditions where we know it. And it hurts my heart when I hear police officers, for example, saying, you know, "I arrested his grandfather. I arrested his father." It's not in their DNA to be criminals. And when you start to see generations matriculating through this system and you don't see the failures of the system, and try to make it about individual families and not what we are doing, it's, it's disingenuous. It's a lie.

[Music]

**Josie:** On our next and last episode, we'll talk about where we've come on criminal justice reform and what the future of this fight looks like.

**Jeremy Travis:** So today, we have a very different environment when we talk about our criminal justice policies, very different from the mid-'90s.

**Jocelyn Fontaine:** You have policy folks, so stakeholders who are interested in the issue of mass incarceration.

**John Pfaff:** If the feds can just pass the one right bill, they caused it with one bill. Let's reverse it with another, right? But they didn't cause it, and they can't reverse it.

**Vivian Nixon:** I didn't want education back in the prisons so that we could sustain the prisons. I wanted education back in the prisons so people would get out and never come back.

**Holly Harris:** Criminal justice reform leads to lower crime and recidivism rates.

**Josie:** That's next time, on *The 30 Year Project*.

[MUSIC]

**Josie:** *The 30 Year Project* is a production of the Vera Institute of Justice. I'm Writer and Host, Josie Duffy-Rice. Ed Chung and I are the Executive Producers. Florence Barrau-Adams is the Producer. Trendel Lightburn is the Associate Producer. Vera's Director of Marketing is Chris Choi, and their Director of Digital Engagement is Megan Diamondstein. Special thanks to all our guests. For more information about each episode and to find full transcripts visit [vera.org/thirtyyearproject](https://vera.org/thirtyyearproject). That's T-H-I-R-T-Y year project. And follow @verainstitute on Instagram. Please take a minute to follow us and rate us five stars on Apple Podcasts and Spotify and let us know what you think. More reviews help more people find us. Thank you for listening.