



REIMAGINE JUSTICE

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**EXECUTIVE SESSION  
ON THE FUTURE OF  
JUSTICE POLICY**

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# **BEYOND THE EASIEST CASES: CREATING NEW NARRATIVES FOR CRIMINAL JUSTICE AND IMMIGRATION REFORM**

**The Square One Project aims to incubate new thinking on our response to crime, promote more effective strategies, and contribute to a new narrative of justice in America.**

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**MEMBERS OF THE  
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OF JUSTICE POLICY**

**How should we tell the story about crime and punishment in America? Justice narratives, stories about criminal-legal systems and the people that come under their supervision, are told everyday throughout the country, by presidents and neighbors, artists and journalists, police chiefs and prison abolitionists. Whether to frighten or inspire or expand our vision about what is possible, these stories are meant to persuade. They aren't maps, giving us the lay of the land, but compasses: they tell us where to go.**

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A real war story, according to Vietnam veteran Tim O'Brien (2009), has no moral. The violence has no point; it serves no larger purpose. Crime stories are the opposite. There is always a "therefore" declared or implied in a crime story. All justice narratives have a way of following the logic of the court: after the details comes a verdict.

For simplicity, we distinguish between incrementalistic and transformational justice stories. Incrementalistic stories are typically intended to support incremental change and serve specific short-term ends, such as a ballot initiative or policy intervention. Transformational stories imagine entirely different kinds of justice systems and often question foundational assumptions that buttress the status quo. Incrementalistic stories ask what can be done. Transformational stories ask what should be.

Incrementalistic stories narrow their focus in the service of a currently attainable policy goal. Transformational stories are not beholden to a specific policy change. It would be a mistake, however, to claim that transformational narratives were idealistic tales that never kept tangible reforms in view. Whereas incrementalistic stories often home in on specific issues that reformers hope a broad public will likely see as problematic or unjust—e.g., draconian sentences for nonviolent offenders, deporting immigrant young people—transformational stories make a different sort of bet, wagering that a more general or foundational critique will be more galvanizing to a social movement and shift the terms of the debate by redefining what is "reasonable." Transformational stories can make radical policy ideas look moderate and moderate policy ideas appear noncontroversial. Next to calls for "abolishing" or "defunding" the police, for example, doing away with qualified immunity appears like

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the least a city could do. Next to calls for citizenship for 11 million undocumented Americans, shielding 1.3 million from deportation through Deferred Action for Childhood Arrivals (DACA) presents as a policy compromise. As abolitionist organizer and advocate Mariame Kaba once remarked, “This is how I know things shift: when Ferguson happened, and all the demands were about body cameras and things like that—to come to this moment, six years later, and the demand is to defund and abolish the police for a significant number of people. I mean, my God, that’s incredible to me” (Madden, Leeds, and Carmichael 2020).



**NARRATIVE CHANGE OFTEN  
FAR OUTPACES CONCRETE  
POLICY REFORM**

When it comes to creating new narratives for criminal justice and immigrant justice reform, however, policy change need not always be the goal. Indeed, narrative change often far outpaces concrete policy reform. A 2017 poll conducted by the American Civil Liberties Union found that 72 percent of Americans would be likely to vote for a political candidate who was seeking to eliminate mandatory minimum laws, and 84 percent believed that people with diagnosed mental illnesses who commit crimes should be treated in mental health facilities, not sent to prison. Actual reforms to mandatory minimums and mental health services, however, lag far behind public support for such initiatives. This incongruence can leave the impression that the country has advanced far more in criminal justice reform than it has in reality. This misperception is compounded by the fact that Americans, and particularly white Americans, vastly overestimate the amount of racial progress that has occurred over the

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last half century (Kraus, Onyeador, Daumeyer, Rucker, and Richeson 2019; Richeson 2020). One implication is that the wider public is primed to accept and spread narratives of forward momentum that celebrate headway being made on a path toward racial justice, however premature that celebration may be.

Incrementalistic and transformational stories have different audiences, goals, and theories of change. Both kinds of narratives are necessary to reimagining and enacting new justice systems. An organizer might tell an incrementalistic story one day and a transformational one the next, depending on her audiences and intentions. The difficult part is making sure one kind of story doesn't compromise the other.

We worry that one kind of justice narrative—call them the easiest cases—can potentially do harm to long-term, comprehensive reform goals. We have in mind occasions when reformers focus intensively on harvesting

low-hanging fruit, targeting what sociologist David Garland (2005:347) has called “the soft middle of undecided voters,” in an attempt to engage the ambivalent or to sway political adversaries. The authors of these stories select an aspect of the criminal-legal system they believe most Americans will find unjust or excessive—long prison sentences for drug convictions, say, or deporting college students who are undocumented—and focus their energy exclusively on that specific target until it moves from margin to center. In recent decades, the national debate about mass incarceration has in large part been a conversation about locking up “nonviolent offenders,” just as the public conversation about immigration has in large part been a conversation about “undocumented workers,” as if the second word in the phrase is purposefully deployed to justify, or tidy up, the word that proceeds it.<sup>1</sup>

We approach this subject with humility. For one, there is no denying that easiest-case narratives have been beneficial in bringing about policy change, from presenting alternatives to incarceration and decreasing mandatory minimums for some crimes to deferred deportation and work permits for some undocumented young people through DACA (a federal executive action taken in 2012) and the establishment of local and state sanctuary policies that limit the reach of immigration enforcement (Nicholls 2013; Gottschalk 2016). Opinions do appear more flexible when it comes to lower-level offenses. This strategy of picking “easiest cases” is, on its surface, practical and straightforward. One study found that support for harsh punishments for drug-related crime declined after participants were shown evidence about

racial disparities in sentencing; however, their support for the death penalty did not waiver in the face of such evidence (Bobo and Johnson 2004). Findings such as this might incentivize reformers to seek smaller victories over more ambitious defeats.

Yet there is still a considerable amount we don’t know about political persuasion. Do Americans’ attitudes toward crime and punishment change slowly, then all at once? What effect do traumatic events, such as a terrorist attack or police killing, have on accelerating or stalling reform? How do we account for movements and counter-movements and the uneven course of social change? If the medium is part of the message, what are the implications for the speed at which technological advances shape and reshape modes of communication? To these questions, this paper adds several more about the kinds of stories we promote in the service of criminal justice and immigration justice. □



## **HOW DO WE ACCOUNT FOR MOVEMENTS AND COUNTER-MOVEMENTS AND THE UNEVEN COURSE OF SOCIAL CHANGE?**

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# NARRATIVES AND LABELS

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## **In the United States, those who wish to tell a story about undocumented or formerly-incarcerated people are immediately confronted with a dominant narrative that holds those people in contempt.**

Oftentimes, the identities of those who have committed crimes or those who have crossed borders outside of official checkpoints are condensed from full personhood to one label: criminal.

Responding to stereotypes about people deemed irredeemable, some criminal-legal and immigration system reformers have responded by telling easiest-case stories about system-involved people. In the criminal-legal field, the *non, non, nons*—nonviolent, nonserious, nonsexual offenders—carry the narrative, presenting the criminal-legal system as one of punitive overreach into the lives of those who have committed minor offenses. In the immigration debate, reformers uphold undocumented young people as “Dreamers,” hitching undocumented

status to deservedness rooted in conventional modalities of upward mobility (e.g., higher education) and assimilation into Anglo-American culture (e.g., English proficiency).

Here, reformers do not reject the basic conceptual formula on which negative stereotypes rely—*a* is *x*, where *a* is a bounded group (e.g., immigrants) and *x* its defining attributes (e.g., dangerousness). Rather, they merely present the formula in a more positive light (Desmond 2014). This well-intentioned narrative choice attempts to humanize those often painted with a negative brush. However, this maneuver has several limitations.

For one, if we challenge a stereotype by inverting it, that action can always be reversed. For every story of a hard-working, kind-hearted immigrant published in *Mother Jones*, there is a story of an undocumented person charged with a heinous crime published on *Breitbart*. *The New Yorker* ran stories on Kalief Browder, a young man accused of stealing a backpack who spent three years in Rikers Island and later committed suicide. *The New York Post* reported on Farkell Hopkins, a man accused of killing a pedestrian while driving drunk, who was released “thanks to new soft-on-crime laws” (Gonnerman 2014; Rosenberg, Moore, and Feis 2020). When reformers counter negative “what aboutism” with positive “what aboutism,” they can ironically end up talking past the very audience they hope to persuade: “the soft middle of undecided voters.”

This becomes clearest not by what is said but by what goes unsaid. When criminal justice reformers say little about crime, for example, choosing instead to focus on, say, racial disparities within the prison population or the damage incarceration does to families, they can make an audience member feel akin to a homeowner who hires a contractor to remodel the kitchen only to discover the bathroom gutted instead. To be sure, there were problems with the bathroom, but the job was the kitchen. In the debate about “crime and punishment,” if we focus only on the problems of punishment, at the expense of reckoning with crime, we will both alienate and disappoint Americans for whom the fear of crime is a powerful motivating force. This strategic elision leaves out in the cold those who live in high-crime neighborhoods, a fact that has led legal scholars James Forman (2010) and Randall Kennedy (1997) to independently identify a class bias in justice narratives that avoid taking a hard look at lawbreaking. (Of course, “tough-on-crime” advocates ignore crime in their own way: by banishing from society those convicted of committing it, often without considering if doing so actually promotes public safety.)



## IF WE RESERVE MERCY FOR THE GOOD, WHEN PEOPLE FALL FAR SHORT OF THE MARK, THAT FAILING CAN BE EXPLOITED BY THOSE CHAMPIONING PUNITIVE POLICIES

If we reserve mercy for the good, when people fall far short of the mark, that failing can be exploited by those championing punitive policies. When Kate Steinle, a 32-year-old white woman, was shot and killed in San Francisco by Jose Ines Garcia Zarate, a 45-year-old undocumented immigrant from Mexico who had been previously deported multiple times, conservative pundits and politicians drew on the event, creating an anti-hero narrative. “My opponent wants sanctuary cities,” then Republican presidential candidate Donald Trump said at a rally. “But where was the sanctuary for Kate Steinle?” Texas Senator Ted Cruz leveraged the shooting to introduce federal legislation establishing mandatory minimums for any illegal reentry offense. The bill was introduced as “Kate’s Law.” Reformers who craft stories intended to uplift heroes can be caught unprepared when confronted with morally-repulsive (and politically-inconvenient) acts.

All these considerations are backlit by the racial divisions that characterize American institutions and civil society. Recognizing the saliency of racism in justice narratives is critical to understanding their power and reach. The rhetorical use of Kate Steinle’s death, for example, was informed by a long, bloody history that justified violence (both vigilante and state-sponsored) against Black and brown men on the principal of protecting the safety and purity of white women. This racialized fear of victimization is regularly exploited for political gain, from the “Willie Horton” ads run by the George H.W. Bush’s 1988 presidential campaign to Donald Trump’s demonization of immigrants (Mendelberg 2017; Oberhauser, Krier, and Kusow 2019). Collectively reaching for new narrative strategies, then, requires critical reflection on how stories of reform are compromised, empowered, or complicated by the central American story, which is the story of racial domination and progress. We need to reconsider how stories are formulated and communicated, creating new structures for both that do not rely on this old formula of racism and othering. □

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# THE POLITICAL POWER OF FULL PERSONHOOD

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## Popular strategies reformers use to counter negative stories introduce other complications—and may even backfire.

When confronted with a horrific episode or a vile crime, reformers often cite their rarity. Violent crime is rare from a national perspective. But neurological and psychological research also has shown that anger and perceived threats to safety override other reactions based on empathy or taking the perspectives of others. That means a positive story about a formerly incarcerated person does not cancel out a negative one, the latter of which has been linked to favoring more punitive sanctions (Jost, Stern, Rule, and Sterling 2017; Soroka, Fournier, and Nir 2019; Vasilopoulos, Marcus, Valentino, and Foucault 2019). Other studies have shown that people do not calibrate their fears to the frequency of threats but to their potency, which implies that “rationalizing” statements that attempt to contextualize one’s risk of being victimized will likely have limited impact (Glassner 2010). This is seen clearly enough by the fact that those who most deeply register a fear of crime—or who translate it into political

action, like voting for the “tough on crime” candidate—often lived in communities with very low actual risk of victimization.

There is also reason to believe that efforts to suppress or supplant stereotypes actually backfire. Psychological studies have shown that people instructed to resist negative thoughts about a stigmatized group end up perceiving that group in a less favorable light than those who were not given such instructions. A review of the research put it plainly: “suppression is not an effective prejudice-reduction strategy” (Kulik, Perry, and Bourhis 2000; Paluck and Green 2009b:348). Americans know people commit violent crimes. Asking them to sublimate that fact in favor of a morally-palatable picture of lawbreaking strikes us as unrealistic and potentially counterproductive.

But there is a second, and even deeper, reason not to challenge a negative stereotype by reversing it with a positive one. There are two ways to dehumanize: to strip people of all virtue and to cleanse them of all sin. Narratives of moral panic do the former; narratives of moral uplift do the latter. Neither narrative embraces the full complexity and deep humanity of the lived experience of system-involved people.

In 1947, *The Nation* commissioned James Baldwin to review the book *There Was Once a Slave* by Shirley Graham, a well-known author, playwright, and civil rights activist. A biography of Frederick Douglass, Graham's book was well-received, winning the Julian Messner Award for the best book published that year combating racial intolerance in America. Baldwin hated it. "I cannot see that Miss Graham has made any contribution to interracial understanding," he wrote, "for she is so obviously determined to Uplift the Race that she makes Douglass a quite unbelievable hero and has robbed him of dignity and humanity alike." Writing nearly two decades before the passage of the Civil Rights Act, Baldwin was upset, not that Graham had been too harsh on Douglass, but that she had been too fawning, following him with "wide-eyed adoration" and portraying his critics as one-dimensional stooges or scoundrels. This stripped Douglass not only of an honest portrait but also, tellingly, of his "dignity and humanity," which comes

with full personhood. This tendency to portray Black Americans as overly simplistic and sympathetic existed long before Graham's characterization of Douglass, and has a long history in characters, like the titular one in *Uncle Tom's Cabin* by Harriet Beecher Stowe.

Baldwin's critique is relevant today, for it applies to challenging widely-held stereotypes affixed to justice-involved people by inverting them to reveal saints where before there were thought to be villains. These "sinners to saints" stories often do not in fact humanize but instead further reduce people to either perpetrator or victim. In fact, many people convicted of crimes have previously been victims of crime, and studies have estimated that four in five people incarcerated in state prison for "nonviolent" offenses also could be classified as "serious" offenders (Gottschalk 2016:169). In other words, the people who have been most victimized are often also those most engaged in criminal activity, with little meaningful distinction between serious and nonserious engagement. Divisions that are convenient for political messaging—violent/nonviolent, documented/undocumented, victim/offender—can often be found within the same person, family, and community.



## EASIEST-CASE STORIES DIVIDE THE WORTHY FROM THE UNWORTHY: THOSE DESERVING OF MERCY AND CITIZENSHIP FROM THOSE DESERVING OF PUNISHMENT, BANISHMENT, AND DEATH

Recognizing this reveals a third vulnerability of positive stereotyping: that doing so props up a kind of contingent morality based on individual performance as opposed to a kind of universalistic morality grounded in widely-shared values. Doing so extends rights to the good and deserving and denies them to the evil and undeserving. Historically, poor Americans have had to choose between accessing social welfare programs and being granted full rights that accompanied the independent citizen (Goldberg 2017). In the same way, the politics of contingent morality asks those who may be in need of social provision to forgo such support in favor of a shot at fuller inclusion into the body politic; or, as law scholar Marie Gottschalk (2016:169) has put it, America's criminal-legal and immigration systems promise "to give people a second chance, never acknowledging that many of the people cycling in and out of prison and jail"—and immigrant detention facilities—"were never really given a first chance, let alone an equal chance."

The United States criminal-legal system is historically and comparatively novel in its massive scope and budget, racial disparities, and severe sentencing, ostensibly making it ripe for critique. Yet it is its critics who often find themselves on the retreat when defenders of the status quo summon up the "worst of the worst"—e.g., sex offenders, those who have committed acts of severe violence—to justify draconian penal policy. In response, advocates often find themselves agreeing with their critics that the "worst of the worst" deserve undignified punishment, while questioning the application of that punishment to other system-involved people.<sup>2</sup> This amounts to a kind of human sacrifice, as it promotes exceptionalism rather than universalism. The caging of many becomes justified by the hope of bringing relief to few, and delegitimizes system-wide critiques (Lorde 2007; Gottschalk 2016:165, 168, 178–179).

Easiest-case stories divide the worthy from the unworthy: those deserving of mercy and citizenship from those deserving of punishment, banishment, and death. Calls for mercy for nonviolent offenders imply that violent offenders are undeserving of that mercy. Likewise, when immigrant young people are characterized as innocent immigrants who “came to the United States through no fault of their own,” they are juxtaposed against their loved ones, their mothers and fathers who crossed borders intentionally and courageously. “Historically,” writes Karla Cornejo Villavicencio (2020:9), “legislators and immigration advocates have parted the sea of the undocumented with a splintered staff—working brown men and women on one side and academically achieving young brown people on the other, one a parasitic blight, the other heroic dreamers.”

Divisive narratives that separate system-involved people from others—documented from undocumented immigrants; over- from under-achievers; violent from nonviolent offenders—imply that one group is more deserving than the other. This may result in short-term gains at the expense of long-term ones. For one, it can imply, or outright assert, that some people are irredeemable. A similar specter of moral depravity haunts the concept of rehabilitation during incarceration, as it implies that reincorporation into society must be preceded by a fundamental transformation of one’s self. The word derives its meaning from the Medieval Latin word *rehabilitates*, meaning “to bring back to a former condition after decay or damage.” Those condemned to die in prison are seen as depraved beyond repair; those marked for rehabilitation are seen as depraved and in need of restoration. Both approaches train our attention on broken people (not broken systems) or even broken moments. The longstanding fact that most people age out of crime demonstrates that the self is far from fixed (Sampson and Laub 1992; Stolzenberg and D’Alessio 2008). When justice narratives neglect to challenge presumptions about the irredeemability



**DIVISIVE NARRATIVES THAT SEPARATE SYSTEM-INVOLVED PEOPLE FROM OTHERS—DOCUMENTED FROM UNDOCUMENTED IMMIGRANTS; OVER- FROM UNDER-ACHIEVERS; VIOLENT FROM NONVIOLENT OFFENDERS—IMPLY THAT ONE GROUP IS MORE DESERVING THAN THE OTHER**

of certain offenders, they can push reforms targeting those offenders further down the line.

Easiest-case narratives have led criminal-justice and immigrant-rights reformers to operate in isolation from each other, diminishing their collective voice and organizational capacity, while dividing policy agendas. Immigrant rights groups once rallied around the slogan, “We are workers, not criminals.” But in doing so, they contributed to the stigmatization of people entangled with the criminal-legal system (Gottschalk 2016:240). Likewise, support for criminal-legal system reform

policies like the First Step Act that explicitly exclude undocumented immigrants contributes to the increased criminalization and punishment of immigrants. Of course, criminal-legal reformers and immigrants’ rights reformers have different stories to tell and different policy goals. But when each group operates independently of the other, one group’s messaging can complicate, even compromise, the other’s. □

# THE POLITICAL SALIENCY OF NARRATIVES

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## Reform narratives can extend mercy to some system-involved people at the expense of others.

As mentioned earlier, easiest-case narratives have helped to increase public support for criminal justice and immigration reform. In 2010, South Carolina legislatures established bipartisan reforms that included alternatives to incarceration for certain drug crimes and reducing maximum penalties for other offenses, like burglary. Two years later, California voters approved Proposition 36 by a wide margin, excluding nonviolent offenders from mandatory life sentences under the state's "three-strikes law." At the federal level, Attorney General Eric Holder in 2011 testified in support of retroactive application of the Fair Sentencing Act of 2010, which reduced sentencing disparities between drug crimes involving crack and powder cocaine. Measures such as these were supported by arguments that emphasized racial unfairness, punitive overreach, and second chances (Gottschalk 2016:167–168, 183).

But there was a catch. Each of these reforms was also accompanied either by public statements or public policies supporting harsh penalties for violent crime. For example, in South Carolina, when legislators proposed alternatives to incarceration for some crimes, they simultaneously made more offenses eligible for life without parole sentences. In California, proponents of Proposition 36 made it clear, in the words of one spokesman for the campaign, that people considered "hard-core criminals" would "get no benefit whatsoever from the reform, no matter what third strike they commit." Similarly, when Attorney General Holder (2010) decried sentencing disparities, he asked the U.S. Sentencing Commission not to apply his recommendations to violent offenders. This was done despite strong evidence of clear sentencing disparities with respect to violent crime, with Black defendants receiving harsher sentences than white ones (Petersilia 1985; Feldmeyer, Warren, Siennick, and Neptune 2014). It is telling, moreover, that most of the above-cited reforms excluded undocumented immigrants from any relief.

Similarly, immigration policy has been characterized by a push-pull of progress and regression. After the September 11th terrorist attacks, many political pundits and federal lawmakers began framing immigrants, especially from South Asian and Muslim countries, as national security threats. The political gains that immigration advocates had achieved up to that point were not enough to secure the congressional votes needed to pass an immigration bill that was years in the making. In response to this defeat, advocates adopted a new narrative strategy, one that framed immigrants as striving “Dreamers” (Lauby 2016). Young immigrant organizers built on this rhetorical foundation and began referring to themselves as “undocumented and unafraid,” a narrative stance that led to substantial policy gains. At the same time, however, the Obama administration simultaneously ramped up Secure Communities policies, eventually deporting more than five million people between 2009 and 2016 (Chishti, Pierce, and Bolter 2017). In 2014, President Obama announced the Deferred Action for Parents of Americans (DAPA) program, staying the deportation of some parents of United States citizens. When announcing this program, the president relied on

a binary, emphasizing that enforcement resources would target “[f]elons, not families. Criminals, not children. Gang members, not a mom who’s working hard to provide for her kids.”

Gottschalk (2016:167) calls these “split policy verdicts.” With split policy verdicts, criminal-legal and immigration reforms often take one step forward and one step back, the backward step sometimes considered politically necessary to secure forward momentum. Yet securing mercy for some while solidifying and expanding severity for others can increase the overall harshness of criminal-legal and immigration systems simply because those extended mercy typically are in the numerical minority. The number of people serving time for violent crime in state prisons outnumbers those convicted of drug crimes by a rate of 3.7 to 1 (Sawyer and Wagner 2020). Likewise, DAPA would have protected roughly 3.7 million undocumented immigrants, a fraction of the undocumented population, estimated to number around 11 million (Migration Policy Institute 2014).

To be clear: DAPA would have been nothing short of a historic victory for immigrant rights, and rolling back harsh sentencing for nonviolent crimes has resulted in considerable reductions in prison and jail populations. For example, when Jerry Brown's term ended in 2018, there were roughly 34,000 fewer people in California state prisons than when he was sworn into the governorship in 2011. This reduction was mainly driven by reforms to address nonviolent offenses without relying on incarceration (Lagos 2018). Our point isn't that easiest-case justice stories are ineffective. They have helped to usher in tangible, even sweeping, reform. But split policy verdicts remind us that the overall utility of such narratives cannot be assessed in isolation—on the basis of a single policy change or ballot measure—rather, they must be assessed on a system-wide basis. A “win” today may make one more difficult to attain tomorrow.

Conflating a changing national tolerance and political climate with easiest-case narratives when new legislation is passed overestimates the effectiveness of such narratives. The above-mentioned narratives about immigrant youth cultivated and emphasized by immigration reformers undoubtedly helped to bring about the policy reforms that came to be known as DACA. But those narratives were deployed during a particularly strategic moment—namely, when Democrats grew increasingly threatened by Senator Marco Rubio's ambitions to reform immigration policy—spurring President Obama to act. In the criminal-legal system, America's discursive shift away from “tough-on-crime” rhetoric to a less punitive public debate about crime, incarceration, and inequality suggests that policies have responded to newfound public sentiments (Gottschalk 2014). But declines in incarceration appear to be largely driven not by policy reform but by the “great crime decline” that is not, in the main, driven by changes in penal policy (Sharkey 2018). Jeffrey Butts (2013), Executive Director of the Research Evaluation Center at John Jay College of Criminal Justice, observes that juvenile confinement



**SPLIT POLICY VERDICTS REMIND US THAT THE OVERALL UTILITY OF SUCH NARRATIVES CANNOT BE ASSESSED IN ISOLATION—ON THE BASIS OF A SINGLE POLICY CHANGE OR BALLOT MEASURE—RATHER, THEY MUST BE ASSESSED ON A SYSTEM-WIDE BASIS**

dropped by more than 40 percent since the mid 1990s, not because of juvenile justice reform—juvenile placement rates have remained constant over the last two decades—but simply because juvenile crime has dropped by 40 percent in the last 15 years. It was not narrative change that resulted in policy reform, causing increases in safety and decreases in harsh punishment. It was because crime fell that elected officials and social influencers were able to promote narrative change about offending and criminal-legal reform. As the crime spikes that occurred in several cities during the COVID-19 pandemic revealed, the public’s tolerance for reform is contingent on how safe it feels. That feeling can be swiftly erased by even small crime bumps or an isolated incident that is particularly heinous or threatening (e.g., the shooting in Times Square that occurred in June 2021 [Thompson 2021]).

We believe it is important to distinguish between narrative and legislative change, not to blunt the power of stories, but to emphasize how narratives, as engines of social transformation, must be attuned to the structural constraints and opportunities afforded them. The crime decline expanded the possibilities of reform narratives and engaged new audiences. Those narratives, in turn, can take advantage of the structural transformations that have empowered them, which can lead to structural change itself. This is why warring narratives often compete over the very nature of social reality. During the Trump administration, conservatives observed there was a surge of immigrants at the Southern border, while progressives observed that net immigration was zero. Both camps were factually correct—the surge at the border was accompanied by more deportations—but winning the debate about the fundamental character of the issue invites different rhetorical and political strategies. □

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# CREATING NEW KINDS OF NARRATIVES

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## **How, then, can we make justice narratives more powerful and effective? There is no instruction manual for how to change culture.**

The science of political persuasion is still in its infancy and is made all the more difficult as modes of political communication evolve. Poetics still lives in the temple of art, not science, and perhaps always will. We propose six guidelines for crafting new justice narratives informed by community organizing, research, and lived experience. Specifically, we suggest justice narratives should move from people to systems, rising above specific cases or crimes to consider the thing entire; from distance

to proximity, bearing witness and promoting the experiences and leadership of justice-involved people; from separate to united contexts, recognizing that the criminal-legal and immigration systems are linked; from contingent to universal morality, pitching reform in alignment with shared values and not individual deservedness; and from fear to trust, asking more of our audiences.

## FRAMING

Moving beyond the easiest cases requires us to move from:

People to Systems



Distance to Proximity



Separate to United



Contingent to Universal morality



Fear to Trust



## RECOMMENDATIONS

Create narratives that:

**1**  
Question the terms  
of the debate



**2**  
Tell personal  
accounts



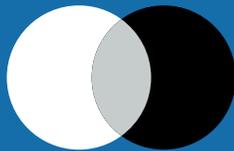
**3**  
Target norms  
not beliefs



**4**  
Collaborate on reform move-  
ments and reform narratives



**5**  
Base civil inclusion  
on shared values



**6**  
Ask more of each  
other



## 1. QUESTION THE TERMS OF THE DEBATE

Reformers often find themselves crafting reactive narratives. If we offer the mirror images of negative stereotypes, we bind ourselves within a narrative frame that was employed to motivate repressive policies. New narratives promoting dignity, fairness, and justice could attempt to avoid this trap and strive to invent new kinds of stories. This could entail posing different questions; transferring the locus of attention to systems from people; employing different tones, terminology, and points of emphasis; and experimenting with different mediums. The power to shape an argument lies not with one's response to questions but with one's ability to decide which questions are asked in the first place. The law professor John Powell (2021) emphasizes that the stories we tell need to move beyond an "us vs. them" framework without minimizing differences between people. To do so, Powell has advanced the concept of "bridging," which "is about creating compassionate space and practices where we can acknowledge each

other's stories and suffering. We have to construct stories that allow space for others. Our story cannot just be about us in the narrowest way, nor can it reproduce othering by consigning an other to be just a villain in our story."

Consider the example of Frantz Fanon, particularly for his singular ability to summon up a different language, addressing himself to a different audience, when discussing colonialism and racial inequality. In his preface to Fanon's 1961 book, *The Wretched of the Earth*, Jean-Paul Sartre homes in on this new voice. Addressing white European readers, Sartre writes, "And if you mumble, sniggering awkwardly: 'He's really got it in for us!' you have missed the true nature of the scandal, for Fanon has got nothing 'in for you' at all; his book, which is such a hot issue for others, leaves you out in the cold." Fanon does not respond to "the white gaze" to use Toni Morrison's term; he does not speak back to it, correct it. He ignores

it. In the same way, new narratives for criminal-legal and immigration reform could avoid supplying new answers to the same questions—questions about recidivism or deservedness or behavior pitched as predatory—rather, it would leave those questions “out in the cold.” Sartre (1961:xliv, li) concludes: “We only become what we are by radically negating deep down what others have done to us” (Kaadzi Ghansah 2015).

Or consider James Whitman’s (2016) distinction between the “presumption of innocence” and the “presumption of mercy.” In an adversarial justice system, like the kind developed in the United States, the accused is presumed innocent and obstacles are placed in the state’s way, making prosecution difficult. In an inquisitorial system, like the

kind found in Western Europe, the accused is not assumed to be innocent; rather, court actors work together to ensure that, if guilt is in fact established, the convicted does not undergo excessive punishment. Whitman argues that presuming mercy has led to the construction of a more humane justice system, even if it has introduced other complications. Moreover, with the advent of prosecutorial power and the fact that over 90 percent of U.S. cases are resolved by a plea bargain, the presumption of innocence occurs more as legal theory than legal practice (Devers 2011; Kohler-Haussman 2018). For the purposes of this paper, the presumption of mercy shifts the narrative terrain of the debate by sidestepping questions of guilt to ask: What is the most compassionate and parsimonious way to hold accountable someone who has harmed another?



**NEW NARRATIVES FOR CRIMINAL-LEGAL AND IMMIGRATION REFORM COULD AVOID SUPPLYING NEW ANSWERS TO THE SAME QUESTIONS—QUESTIONS ABOUT RECIDIVISM OR DESERVEDNESS OR BEHAVIOR PITCHED AS PREDATORY—RATHER, IT WOULD LEAVE THOSE QUESTIONS “OUT IN THE COLD”**

## 2. TELL PERSONAL ACCOUNTS

A 2016 study published in *Science* reported the results of a field experiment that found that transphobic prejudice was reduced after canvassers went door-to-door, engaging people in a ten-minute conversation. During the conversation, canvassers encouraged people to take the perspective of others by discussing a time they were judged for being different. The effect of this intervention was still detected three months after the conversation (Broockman and Kalla 2016). The results of this study suggest that reformers could encourage civil society to take the perspective of system-involved people. This would entail telling longer, more complex and multidimensional stories about immigration and crime, stories that dismiss conventional binaries (e.g., victim/perpetrator) and provide larger context about the lives of those often represented in a monochromatic light. Moving past the logic of the court,

which focuses on personal agency during a discrete event like border crossing or burglary, perspective-taking narratives could focus on trauma, poverty, racism, and forms of correlated adversity that often come to define the experiences of those processed through judicial systems (Desmond 2015; Western 2018).

Who should tell new justice stories?

The *Science* study suggests an answer: although both transgender and cisgender canvassers were effective, transgender canvassers were significantly more so (Broockman and Kalla 2016). This provides empirical support to the slogan that “people closest to the problem are closest to the solution.” Another implication, then, is that those who have direct experience with justice and immigration systems should play key leadership roles in developing and deploying new narrative strategies. We believe narrative change campaigns should prioritize supporting and elevating the voices and leadership of formerly- and

currently-incarcerated people as well as undocumented immigrants, so long as those sharing their story feel that doing so promotes their human dignity. Outlets such as United We Dream, the Marshall Project, and the Economic Hardship Reporting Project have modeled ways to support and promote art, poetry, reporting, and other modes of storytelling led by those with first-hand experience of the problem their work addresses. But we also believe that a more personal touch is likely essential to narrative change.

After all, the *Science* study documented the effects of in-person conversations, not, say, an editorial written by a transgender journalist. Reaching large audiences through conventional means requires a privileged skill set—from writing and talking competencies to connections to media outlets—often unavailable to system-involved people. Civil rights activist Rashad Robinson (2018) notes that “narrative builds power for people, or it is not useful at all.”

A related principle is that justice stories are empowered when we gain intimacy with the issue, when we strive for proximity, as Bryan Stevenson (2015) has put it. Bearing witness to immigration, crime, and punishment is a way to cut through simple and overheated takes based on abstract fear or political strategy. “An enemy is someone whose story you have not heard,” the saying goes (qtd. in Žižek 2008:46). If we tether our stories to lived experiences, basing their authority on what Clifford Geertz (1988) called “I-witnessing,” we have a better chance of representing the full complexity of the issues at which justice narratives direct their attention. This necessarily requires genuinely listening to and learning from those who have harmed others and those who have been harmed. When it comes to the latter group, this should not be mistaken for leveraging victims’ anger and pain to achieve political ends—or assuming we speak for victims when we promote punitive retribution. As Danielle Sered (2019:41) has written, “When we hear victims attest to the unremitting intensity of their pain, we should not

hear it as a straightforward justification of more incarceration—we should hear it at least in part as an indictment of our reliance on incarceration to help them heal.” When reformers center crime survivors’ experiences, they often discover a desire to hold people accountable and promote public safety through something very different from incarceration.<sup>3</sup>

At the same time, as the activists Daryl Atkinson and Hernán Carvente Martínez have noted, consistently having to retell personal narratives to different publics can inflict its own kind of trauma. The most intimate details of a person’s life can be used as tools to motivate political will, which can be experienced as constricting and reductive: one’s whole personhood reduced to a convulsive moment or decision. In Van der Kolk’s (2015) classic

definition, trauma occurs through a double disconnection: the first occurs when our bodies disconnect from our minds, such that noncognitive functions remember the same painful event differently than our cognitive functions do; the second occurs when we are disconnected from a community, isolated with feelings of shame or rage. In the same way, rituals of public storytelling can disconnect the narrator’s full self from their story and alienate the narrator from the community (though the process of caricature, for example). To counter this, we must focus both on the narrator and the narrative, being careful to avoid severing the relationship between the two.

Sharing personal experiences and bearing witness to problems is one way to move away from myth and toward proximity when it comes to questions of crime, punishment, and fairness. Another way is to lean on science. The National Research Council’s report, *Reforming Juvenile Justice*, is a good example (Bonnie, Johnson, Chemers, and Schuck 2013). The report drew on extensive research



## SHARING PERSONAL EXPERIENCES AND BEARING WITNESS TO PROBLEMS IS ONE WAY TO MOVE AWAY FROM MYTH AND TOWARD PROXIMITY WHEN IT COMES TO QUESTIONS OF CRIME, PUNISHMENT, AND FAIRNESS

on brain development, developmental psychology, and the life course, establishing that adolescent involvement in crime was “part of the normal developmental process” and that young people’s brains functioned differently than adult’s, especially with respect to impulse control and self-regulation. These biological findings were a powerful corrective to folk theories of youth crime that relied on notions of street culture, poor rearing, or moral depravity, including John Dilulio’s

concept of a “superpredator,” which have fueled draconian policies like life sentences applied to children (Equal Justice Initiative 2014). Science has helped reformers and criminal legal system actors see young people in a new light, and this had profound implications for criminal justice theory and policy.

### 3.TARGET NORMS NOT BELIEFS

Studies have shown that media interventions often have little impact on beliefs, but they do affect perceptions of social norms (Paluck and Green 2009a; Paluck and Green 2009b; Justice and Meares 2021). One implication is that narrative change campaigns could be more effective if they attempted to influence what people understood to be socially acceptable, rather than attempting to “change hearts and minds.” This has implications for the message and medium. Robinson (2018) has stated that the rules of cultural production are “much less about ensuring or leveraging empathy as they are about capturing normativity, i.e., modeling in media the institution of inclusion that

we want to see in society and changing the incentive structures of media makers to align with these practices.”

With respect to the message, presenting aspects of the criminal-legal and immigration systems as especially cruel, inefficient, and outdated will likely resonate more deeply with audiences than presenting system-involved people in a sentimental light. This is because the former approach targets community norms (“We shouldn’t

do this anymore.”) while the latter approach targets individual behaviors (“A person can do better.”). The system itself should be placed on the defensive (Munger 2017). Many of us do not seriously act on our values until we feel pressure or encouragement from our social network. For example, although a person might be deeply concerned about animal suffering, they may not change eating habits until their spouse does.<sup>4</sup> Moral reasoning, and particularly moral action, is a fundamentally social act. Reformers can draw on this fundamental insight, from citing polling data to asking audiences to cosign on stances or policies, to empower justice stories.

With respect to the medium, if social norms are the target of narrative campaigns, then executing those campaigns to promote “synchronized community attention” will likely be more effective than media consumed in a more individual or isolated way (Paluck and Chwe 2017:991). Studies have shown voters to be more persuaded by political speeches if they believe they are watching those speeches live with many other people, as opposed to watching a prerecorded speech alone (Justice and Meares 2013; Shteynberg, Bramlett, Fles, and Cameron 2016; Tankard and Paluck 2017). We should pay attention not only to the content of our messages but also to how those messages are consumed. An implication of this line of research is that communicating a narrative during a moment of collective watching (e.g., live sporting event, State of the Union Address) is likely to have a more lasting impact on perceptions of social norms and behavior. This perspective impacts all narrative

change attempts on the community, insisting that behavior is more responsive to perceptions of what is broadly tolerated than to underlying beliefs or ideologies.

Emblematic of synchronized community attention, public outrage at the Trump administration's separation of families at the border concentrated contentious political issues into a single media optic. As families were being detained, separated, and caged in squalid conditions, media attention homed in on how xenophobic policies were being implemented, documenting abuses and creating a moment of collective watching. The situation became even more urgent when COVID-19 began spreading through detention facilities. Detainees were trapped, and the broader public was quarantined, which only heightened the amount of

attention trained on the crisis. During this moment, the American public responded with outrage, making clear that such abuses would not be tolerated. In a way that typical immigration debates about jobs or legal process are rarely able to do, our collective watching of families incarcerated at the border and children separated from their caretakers mobilized public outcry and grassroots protests that likely impacted election outcomes. But the outcry soon faded, and the American public moved on. Calls decrying dehumanizing migrant camps along the Southern border have been muted. The challenge, then, is to find a way to leverage momentum created by a specific event or crisis to a large enough degree that it brings about lasting change.



**MORAL REASONING, AND PARTICULARLY MORAL ACTION, IS A FUNDAMENTALLY SOCIAL ACT. REFORMERS CAN DRAW ON THIS FUNDAMENTAL INSIGHT**

## 4. COLLABORATE ON REFORM MOVEMENTS AND REFORM NARRATIVES

In recent years, the boundary understood to separate immigration enforcement from crime enforcement has faded, and perhaps disappeared, with the increasing militarization of the border and the founding of Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP). Collective fear leveraged to justify draconian immigration policy closely resembles the fearmongering used to fuel the prison boom (Miller 2010; Beckett and Evans 2015; Ewing, Martínez, and Rumbaut 2015). And yet movements focused on immigration reform largely work separately from those focused on criminal justice policy.

New narratives will require new forms of collaboration and partnership. We believe those steered by “intersectional frameworks,” which actively adopt the perspectives of others and elevate the voices of traditionally silenced groups, would be especially powerful (Cho, Crenshaw, and McCall 2013). Uniting criminal-legal and immigrant rights movements would not only allow reformers to pool resources; it would also allow new narratives that tell a fuller story accounting for our shared humanity and collective aims.

Oftentimes new narratives require both repurposing previous efforts at advocacy and expanding the platform to new voices. One such example is the efforts



**UNITING CRIMINAL-LEGAL AND IMMIGRANT RIGHTS MOVEMENTS WOULD NOT ONLY ALLOW REFORMERS TO POOL RESOURCES; IT WOULD ALSO ALLOW NEW NARRATIVES THAT TELL A FULLER STORY ACCOUNTING FOR OUR SHARED HUMANITY AND COLLECTIVE AIMS**

of undocumented young people who have been advocating for the passage of the Development, Relief, and Education for Alien Minors, or DREAM, Act, since the early 2010s. Rather than let their undocumented status keep them from advocating loudly and publicly, undocumented immigrant youth have proudly broadcasted their citizenship status at sit-ins, marches, and hunger strikes. In the same way that gay rights activists used their “coming out” to increase visibility of their cause, immigrant youth have defiantly declared their undocumented status in public, organizing around the chant of “Undocumented and unafraid!” a refrain resonant of “We’re here, we’re queer!” These efforts have been mobilized by organizations such as United We Dream, the largest immigrant-youth led organization in the United States. United We Dream’s network, also takes on issues specific to racial justice and LGBTQ+ pride, demonstrating their commitment to pursuit of intersectional advocacy from multiple angles (Preston 2017; United We Dream 2021).

The widespread embrace of undocumented status changed the course of dialogue in policy debates about granting citizenship. Although their undocumented status prevented immigrant youth from achieving their many goals—attending college, pursuing careers in public service, voting—their public acknowledgement that they were both undocumented and eager to contribute to society in meaningful, specific ways clearly demonstrated that the public welfare would increase with sensible immigration reform. Through these tactics, the public was confronted with multidimensional young people whose stories resisted flattening.

## 5. BASE CIVIL INCLUSION ON SHARED VALUES

We believe justice narratives should be grounded in a set of shared values. Doing so moves away from the individualizing tendencies of narratives of heroism and blame and broadens the aperture to focus on the community (Shenker–Osorio 2017). Narratives about shared values are not about “them” but “us,” the kind of nation we hope to create. When confronting recidivism, for example, instead of asking how someone failed, we might turn the question on ourselves to ask: How did we fail them?<sup>5</sup> We need to develop narratives of failure as much as narratives of success. We need to be prepared for times when people harm each other in reprehensible ways. The opposition certainly is. More broadly, rather than only shaping our narratives in response to specific policies or debate points, we should also stretch ourselves in an aspirational way.

An example of policies driven by shared values involves the work of conservative reformers like Pat Nolan and Chuck Colson, both formerly-incarcerated men. Nolan and Colson have helped to pass policy, including the Prison Rape Elimination Act and the Second Chance Act, by grounding arguments in the Christian principals of mercy and forgiveness. Liberal Judeo-Christian faith communities, meanwhile, have led on immigration reform by establishing sanctuaries against deportation based on the Biblical injunction to “do no wrong or violence to the alien” (Jeremiah 22:3; Keller 2015).

The Committee on the Causes and Consequences of the Growth of Incarceration, convened by the National Research Council of the National Academies, has articulated normative principles to which America’s institutions of justice should aspire. “Questions regarding the appropriate

use of prison in a democratic society cannot be resolved solely by reference to evidence,” the Committee wrote, “nor can a society decide whether prison rates are too high only by weighing narrowly quantifiable costs against benefits” (Travis, Western, and Redburn 2014:321-323). Needed, then, was an articulation of “normative principles that have traditionally limited the penal power of the state.” The Committee presented four:

- 1 desert and proportionality (punishments should match the crime);
- 2 parsimony (punishments should never be more severe than necessary);
- 3 citizenship (punishments should never result in social or civic death); and
- 4 social justice (the criminal-legal system should promote equality and fairness.

Other orienting values could be dignity, mercy, safety, and moral reckoning.

Or consider the efforts of Official Black Lives Matter in Memphis, Tennessee, who launched a campaign to pay the bail of incarcerated mothers by Mother’s Day. In this case, the organizers did not address themselves to the conventional questions of guilt and innocence, responsibility and repair; nor did they present incarcerated mothers as heroes. Instead, Official Black Lives Matter chose to root their campaign in widely-shared family values. In so doing, they did not permit the criminal-legal system to assign the primary identity to the caged women under its supervision. Those women were presented as mothers, and calls for their liberation were based on the importance of motherhood (Shenker-Osorio 2017:37). However, this approach may often conflict with efforts to maintain (or overcome) hierarchies based on race, class, citizenship status, or a number of other social categories. One of our shared values, after all, is a desire to maintain our social position if we are on top, or to subvert traditional arrangements if we are not. Narrative strategies that seek to identify shared values, then, should avoid papering over power relations, just as they should be skeptical of times when the interests of the few are justified by veiled appeals to some universal principle (Justice and Mears 2020).

## 6. ASK MORE OF EACH OTHER

Often, justice narratives respond to fear: the fear stoked by racial discord, moral panic, and violence, yes, but also the fear that the American public has an incredibly low tolerance for moral lapses. While some policymakers view the American public as gripped by fear or unforgiving of lawbreaking, the crime decline has lowered the public's fear of victimization, presenting an opportunity to promote narratives about mercy, second chances, safety, and full humanity. Although a significant minority of Americans consistently perceive crime to be increasing even when in fact the opposite is true, and although crime spikes through the COVID-19 pandemic may have shifted public opinion in the most affected cities, overall the share of Americans who report being troubled by crime is decreasing. In 2001 a Gallup Poll reported that 62 percent of respondents worried "a great deal" about "crime and violence." In 2021, only 50 percent did. The share of respondents describing "the problem of crime in the United States" as "extremely serious" fell from 22 percent in 2000 to 18 percent in 2021 (Gramlich 2020; Gallup 2021a). Support for punitive politics has also fallen since the 1990s. In 1994,

an estimated 80 percent of Americans supported the death penalty for a person convicted of murder; in 2021, only 55 percent did (Kelly 2015; Gallup 2021b).

Fearless narratives are what the American public deserves. There is perhaps no better place to turn to find such narratives than youth-led progressive movements. In the wake of the September 11th terrorist attacks, an immense moment of collective pain, immigration reformers were reeling. While mainstream movement organizers pushed comprehensive reform measures in both houses of Congress, measures that eventually failed, younger movement organizers directed their attention at the DREAM Act, introduced in the Senate with bipartisan sponsorship. Although the DREAM Act failed to pass by a slim margin, this legislation imagined a much more abolitionist path forward than older, more established reformers had urged. Young immigrant organizers were able to see the failures of the current day, and rather than let the contemporary constructs of the debate confine their sense of what was possible, they charted their own path

and called for radical change, such as the abolishment of ICE and CBP. Activist Mariame Kaba put the power of prophetic vision in plain terms: “I imagine a whole generation of young people being born in this moment who are going to grow up understanding that the world doesn’t have to be this way” (Madden, Leeds, and Carmichael 2020).

While antithetical to prophetic vision, tough-on-crime narratives, with their swaggering boasts of lock-them-up policies and death penalty support, are also incredibly fearless in their cruelty and misdirection. The same is true of

border-security narratives, with their nativist tales of “the end of America as we know it” and their overwrought worries of job theft and crime spikes. Yet these stories persist because they offer a sense of solace in certainty—we know the results of the status quo of punishment and cyclical violence. We don’t know what a future without reliance on these things looks like—movement leaders often admit they cannot predict the future—so crafting new narratives requires being comfortable with uncertainty (Ganz 2009; Madden, Leeds, Carmichael 2020). Square One narratives of new criminal legal and immigration systems must be equally fearless in the pursuit of radical reimagining, even if the outcome is not yet known. Publics are not won over by apologies, nor by the half-truths of sentimentality, so honesty is necessary—hope, too. Perhaps it is time that our narratives of justice, citizenship, and dignity stop walking on eggshells, as movement building is persistent rather than perfect. □



## **PUBLICS ARE NOT WON OVER BY APOLOGIES, NOR BY THE HALF-TRUTHS OF SENTIMENTALITY, SO HONESTY IS NECESSARY—HOPE, TOO**

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# CONCLUSION

At the time of this writing, the United States is experiencing a moral reckoning with police violence. The killings of George Floyd, Breonna Taylor, and other unarmed Black people galvanized in the summer of 2020 what may have been the biggest social movement the country has ever witnessed (Buchanan, Bui, and Patel 2020). Movement leaders adjusted their call from “abolish the police” to “defund the police,” thinking the latter slogan more broadly palatable. Nonetheless, large sections of the American public recoiled from such language, even if they actually supported the specific policies movement leaders were demanding, such as rerouting of funding from law enforcement to social services. Reformers continue to struggle with how best to tell this story, while others mark its silences.

Reimagining new justice and immigration systems will require telling new stories. In this paper, we have attempted to raise some questions about how stories get told and the compromises we make in the telling; and we have offered some suggestions about how to collectively build new narratives that influence public understanding and public policy having to do with safety, inequality, and new justice systems. We hope reformers will find our efforts useful as they work to bring about justice and immigration systems we can all be proud of. □

## ENDNOTES

**1** As Karla Cornejo Villavicencio wryly observes in her book, *The Undocumented Americans* (2020:13), “For many years when I have heard nice people try to be respectful about describing undocumented people, I’ve heard them call us ‘undocumented workers’ as a euphemism, as if there was something uncouth about being just an undocumented person standing with your hands clasped together or at your sides. I almost wish they’d called us something rude,” she continues, “because that’s acknowledging something about us beyond our usefulness.”

**2** This applies to advocates on all sides of the debate. When Derek Chauvin, the former Minneapolis police officer, was sentenced to 22.5 years in prison for murdering George Floyd, many criminal justice advocates applauded, while others argued that he should do more time.

**3** See also Kotlowitz 2019.

**4** This example comes from Ezra Klein’s conversation with Peter Singer on the former’s podcast on December 6, 2019.

**5** In fact, during a presentation on recidivism in the Netherlands, criminal justice reformer Jeremy Travis was struck by how Dutch criminal-legal actors presented recidivism in this very light, one that emphasized not individual lapses but social shortcomings.

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REIMAGINE JUSTICE

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