

Public Policy Proposals for Criminal Justice Reform

Because we are followers of Jesus, we are called to be present as ambassadors of healing, restoration, and justice in jail cells, courtrooms, and detention centers.

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Opportunities for Change

We find ourselves at a pivotal moment in public policy advocacy around criminal justice reform. There is not yet uniform agreement about the causes of mass incarceration and the measures that are needed to restore our broken criminal justice system. There is, however, significant agreement around measures that would address racial bias, including sentencing disparities, racial profiling, the militarization of police forces, and inadequate prevention and reentry programs. Here are some of the public policy proposals under consideration in the 114th Congress.

Smarter Sentencing Act - S. 502/H. R. 920

Sen. Mike Lee (R-UT) & Sen. Dick Durbin (D-IL)
Rep. Paul Labrador (R-ID) & Rep. Bobby Scott (D-VA)

Mandatory sentences, particularly drug sentences, can force a judge to impose a one-size-fits-all punishment without taking into account the details of an individual case. Many of these sentences have disproportionately affected minority populations and helped foster distrust of the criminal justice system.

Half of all federal prisoners are drug offenders and most sentenced annually have little or no criminal record, did not use or possess weapons, and were not high-level drug traffickers, yet received lengthy mandatory minimum sentences. The Smarter Sentencing Act will give judges the flexibility and discretion they need to impose stiff sentences on the most serious drug lords and cartel bosses, while enabling nonviolent offenders to return more quickly to their families and communities.

Isaiah 10:1-3

“Woe to those who make unjust laws, to those who issue oppressive decrees, to deprive the poor of their rights and withhold justice from the oppressed of my people, making widows their prey and robbing the fatherless. What will you do on the day of reckoning, when disaster comes from afar? To whom will you run for help? Where will you leave your riches?”



The REDEEM ACT (Record Expungement Designed to Enhance Employment Act of 2015) - S. 675

Sen. Rand Paul (R-KY) & Sen. Cory Booker (D-NJ)

Having even a minor criminal record can prevent access to employment, housing, education and training, credit, public assistance, and health care. If criminal records were expunged after time served, persons who were formerly incarcerated might escape cycles of poverty, become more self-reliant, and be less likely to commit future crimes. The REDEEM Act would:

- Eliminate the SNAP (formally food stamps) and TANF bans for drug use and possession felonies
- Restrict the use of juvenile solitary confinement
- Allow for sealing and expungement of juvenile records for those youth who commit non-violent crimes before they turn 15 years old and automatically seal records for those youth who commit non-violent crimes after they turn 15
- Incentivize states to raise the age of adult criminal responsibility to 18

Better Options for Kids Act

Sen. Chris Murphy (D-CT) & Sen. Cory Booker (D-NJ)

Studies have shown that long-term incarceration of youth does not reduce recidivism and can even increase recidivism. Once incarcerated, these youth are less likely to graduate from high school, their income earning capacity is lower, and they are more likely to become entangled with the adult criminal justice system later in life. The Better Options for Kids Act would leverage existing federal funding streams already directed towards at-risk youth to achieve implementation of policies which have been proven to be effective such as:

- Limiting court referrals for school-based non-criminal status offenses (truancy, curfew violations, for instance)
- Incentivizing school district to have clear guidelines regarding the arrest powers of school resource officers on school grounds
- Providing training or funds for school districts to use non-exclusionary discipline
- Shifting funding formerly dedicated to secure detention for minors into community-based alternatives for incarceration
- Adopting a reentry policy for youth leaving correctional facilities that ensure educational continuity and success

The Democracy Restoration Act - S. 2235 / H.R. 4459

Sen. Ben Cardin (D-MD) & Rep. John Conyers (D-MI)

While 15 states and the District of Columbia already restore voting rights upon release from prison, 35 states continue to restrict the voting rights of people who were formerly incarcerated. Passing the Democracy Restoration Act will federal voting rights to American citizens who are released from prison or serving probation sentences. Allowing people to vote after release from prison encourages participation in civic life and helps rebuild ties to the community that motivate law-abiding behavior. This bill would:

- Restore voting rights in federal elections to 4.4 million Americans who are out of prison and living in the community
- Guarantee that people on probation will never lose their right to vote in federal elections
- Ensure that people are notified about their right to vote in federal elections when they are leaving prison, are sentenced to probation, or convicted of a misdemeanor