

. Position in Brief:

The LWV California supports:

- a criminal justice system that is just, effective, equitable, transparent, and that fosters public trust at all stages, including policing practices, pre-trial procedures, sentencing, incarceration, and re-entry;
- the elimination of systemic bias, including the disproportionate policing and incarceration of marginalized communities;
- policing practices that promote safety for both law enforcement officers and the communities they serve;
- collaboration between government and community throughout every stage of the criminal justice system;
- a focus on humane treatment and rehabilitation with the goal of promoting the successful reentry into communities of those who have been incarcerated; and
- reliance on evidence-based research in decision-making about law-enforcement programs and policies (including scheduled, periodic audits of program and policy effectiveness)

3. Position in full: <https://lwvc.org/our-work/positions/position-criminal-justice>

Details:

Policing Practices - constitutional policies and procedures established by law enforcement with input from the communities they serve

- Ensure that crime prevention and promotion of public safety are the primary roles of state and local law enforcement agencies.
- Build public trust and positive community relationships through police engagement with community members.
- Encourage community participation in the development of policing policy.
- Provide police accountability via independent citizen oversight of law enforcement and publicly available data on officer conduct.
- Disseminate information to the public about policing policies, recruitment, procedures for complaint/commendation, and the rights and responsibilities of citizens and officers in interactions with each other.
- Provide sufficient psychological services and counseling to meet stress-related needs of police personnel.
- Staff police departments to reflect the diversity of the communities they serve, and establish recruitment efforts that reflect this principle.
- Train police to identify individuals with mental health conditions, disabilities, or substance abuse/addiction, so that officers will request support from appropriate medical and mental health professionals, with the goal of diverting those individuals into treatment instead of jail.
- Require all officers to render first aid to people who have been injured as a result of police action.
- Conduct comprehensive background checks, to include such history as PTSD, domestic violence, sex offenses and affiliations with domestic terrorist groups, for all applicants to law enforcement positions.
- Establish de-escalation (the use of time, distance, communications and available resources whenever it is safe to do so) and anti-bias training, and ensure that all staff are provided with this training.

- Authorize minimal use of force during police encounters with the public, and consider deadly force only when necessary to prevent imminent death or serious bodily injury.

Pre-trial Procedures - actions taken after an individual has been arrested, which embody the constitutional presumption of innocence

- Ensure no person suffers discrimination before the law due to their economic status nor should they be subject to risk assessment tools which can produce biased outcomes.
- Provide adequate numbers of public defenders to defend indigent accused.
- Provide prosecutors, defense attorneys, court counselors and judges with regular training on alternatives to incarceration, including pre-trial diversion and restorative justice practices.
- Recognize that mental health conditions and substance abuse/addictions are public health issues, not crimes.
- Implement the use of specialty courts, e.g. drug treatment courts and restorative justice programs.
- Consider community-based treatment programs and other alternatives to incarceration when appropriate.

Sentencing - judgment made after an individual has been declared to be guilty

- Consider the individual circumstances of the person charged and nature of the crime, rather than mandatory minimum sentences.
- Consider split sentencing and/or alternatives to incarceration when appropriate.

Incarceration - policies and procedures that apply to employees of and incarcerated individuals in local jails and state prisons

- Ensure that all correctional systems provide humane, dignified, non-discriminatory treatment of incarcerated people and personnel, including appropriate healthcare and access to community-based rehabilitation programs.
- Eliminate the practice of solitary confinement.
- Ensure that incarcerated people and corrections officers have clear, safe and accessible ways to report abuse.
- Address recidivism by instituting programs that focus on rehabilitation, education, mental health treatment, substance abuse recovery, and transitional programs.
- Adapt case management services to match education, behavior, job training, work, and mental health programs with the needs of incarcerated individuals.
- Provide sufficient psychological services, including training and evaluation, to meet the needs of corrections officers.
- Encourage family and community visitations and ways to maintain contact.
- Eliminate private prisons. Until space in public prisons is available, ensure that private prisons comply with all of the standards for state-run jails and prisons.

Re-entry - programs in place during and after incarceration to help individuals become successful members of their communities

- Collaborate with community-based organizations to facilitate reintegration of people released from prison.
- Provide pre- and post-release programs, inclusive of probation services, to prepare as well as assess and address the needs of people re-entering the community.
- Remove technical violations of parole as a reason to return an individual to prison.

General - statements which apply to some or all of the above categories

- Standardize data and setting up systems so that information can be easily shared among criminal justice agencies.
- Rely on evidence-based research in decision making about criminal justice programs and policies.