

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.

Written by Barbara Baylor



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 Juvenile Justice and Delinquency Prevention Reauthorization Act (JJDP A) – S.2999

Sen. Charles Grassley (R-IA) & Senator Sheldon Whitehouse (D-RI)

Emerging research on adolescent development has led lawmakers to review and re-align policies to better support the positive social development of youths who become involved in the juvenile justice system. Holding adolescents accountable for their wrongdoing, preventing reoffending, and treating youths fairly are the specific aims of JJDP A. The Act would also:

- Begin to phase out of the valid court order exception, which enables states to incarcerate youth for behaviors such as truancy and running away from home.
- Require that children to be separated from adult inmates when awaiting trial.
- Require states to collect data on ethnicity in addition to data on race.

Second Chance Act Reauthorization Act – S. 1513

Sen. Rob Portman (R-OH) & Sen. Patrick Leahy (D-VT)

When returning citizens are released from prison, they face many challenges including finding housing and employment, combating substance abuse, and securing treatment for physical and mental health problems. Without community support, they are less likely to reintegrate into their communities, and more likely to offend again. The Second Chance Reauthorization Act expands state and local reentry programs to reduce recidivism and provide those leaving prison with real opportunities to rebuild their lives. It would:

- Reauthorize the most successful Second Chance programs.
- Expand opportunities for community-based nonprofits to apply for grant funding.
- Modify the Second Chance Careers training grant program to support programs that provide job training for a wider range of occupations.
- Expand mentoring grant programs to support employment services, substance use and mental health treatment, housing, and other transitional services

The YOUTH Promise Act – H.R. 2197

Rep. Bobby Scott (D-VA) & Rep. Walter Jones (R-NC)

The cheapest way to reduce crime is to prevent it. Evidence based prevention and intervention programs targeted at youth can stop the cycle of crime and violence before it begins. The Youth Promise Act would:

- Provide grants for evidence-based, locally-controlled youth and gang violence prevention and intervention practices such as mentoring or after school programs.
- Establish a national research center for proven juvenile justice practices.
- Establish an advisory panel to assist the Office of Juvenile Justice and Delinquency Prevention in the assessment and collection of data on juvenile crimes.

Comprehensive Justice and Mental Health Act of 2015 – S. 993/ H.R. 1854

Sen. Al Franken (D-MN) & Rep. Doug Collins (R-GA)

Our criminal justice system fails to effectively help people with mental illness, instead locking them up in conditions that often make their problems worse. Jails are no substitute for a mental health system. The Comprehensive Justice and Mental Health Act will:

- Improve access to mental health services for people who come into contact with the criminal justice system.
- Provide training to help law enforcement recognize and respond appropriately to mental health crises.
- Authorize investments in veteran's treatment courts that serve arrested veterans suffering from post-traumatic stress disorder, substance addiction and other mental health conditions.