

PROSECUTORIAL REFORM

BRING JUSTICE BACK TO PROSECUTION

Our Platform

Reduce incarceration

Commonwealth's attorneys must commit to reducing the number of people behind bars and significantly reducing racial disparities within the criminal justice system, including in arrests, prosecution, and sentencing.

- CAs must also recognize that public safety is best served by focusing on solving the problems that lead to crime rather than maximizing sentences after crimes have already occurred.
- Virginia can dramatically reduce its prison population by implementing just a few sensible reforms:
 - » Expand diversion programs that prioritize rehabilitation over punishment.
 - » Stop prosecuting low level marijuana possession and support decriminalization or legalization of marijuana possession.
 - » Support raising the felony larceny threshold to \$1,500 or more so we can scale back the effects of over-criminalization. Until it is raised, CAs should prosecute theft as a misdemeanor for values less than \$1,500.
 - » Eliminate the use of cash bail within your office and pledge to recommend, for all legally permissible cases, presumptive release of defendants without a price tag.



Address racial disparities in the criminal justice system:

People of color in Virginia are overrepresented in the criminal justice system. CAs must commit to ending racial disparities in the system and in prosecutorial decision-making. This will require tracking and publishing statistics about decisions made within their offices and encouraging other CAs to do the same. It is only once we have data on these decisions that we can begin to understand and combat the existing systematic racial disparities.

Promote transparency and accountability:

- » Fully transparent practices and outcomes improve decision-making, allow the public to hold CAs accountable, and enable public understanding of the CA's role and job performance.
- » In addition to publishing statistics about prosecutorial decisions, CAs should also pledge to publish all policies and protocols regarding prosecution guidelines, police-involved incidents, bail recommendations, fines and fees, diversion programs, plea bargains, civil asset forfeiture, and immigration considerations.

“ Sending people with a history of drug dependency to jail only isolates the person and the problem but doesn't work to solve any of the underlying issues. Options like H.A.R.P exist, but only during incarceration. Why does someone like me have to go to jail to get help?”

— **Patsy Tucker**, formerly incarcerated, first woman graduate of Chesterfield County's Heroin Addiction Recovery Program (HARP)

8 THINGS WE BELIEVE A CA CAN AND SHOULD DO IN THEIR FIRST 100 DAYS

- **Require** a criminal conviction before forfeiture
- **Support** establishment and funding of a statewide investigative and prosecutorial unit to handle cases of police use of force resulting in death/serious injury
- **Stop** requesting cash bail
- **Decline** to prosecute simple marijuana possession and support decriminalization of marijuana
- **Support** diversion programs for people who need treatment for drug addiction instead of incarceration
- **Encourage** constitutional policing and put an end to stops and searches without probable cause
- **Support** the collection and publication of data by race, gender, national origin, LGBTQ on police stops, issuance of summonses, custodial arrests
- **Implement** collection and publication of data by race, gender, national origin, LGBTQ on prosecutions initiated, plea bargains entered into and terms, convictions and sentences imposed.

- Reduces racial disparities and basic due process issues.
- Reduces unwarranted use of force and ensures law enforcement accountability while protecting officers' rights.
- Addresses racial disparities and income inequality
- Helps reach decarceration goal by addressing vast racial disparities in enforcement of marijuana laws
- Helps reach decarceration goal by helping people with addiction problems get their lives back on track instead of punishing them
- Reduces racial disparities in the criminal justice system
- Increases transparency and promotes accountability
- Increases transparency and accountability of CA's office