

place matters



community engagement | criminal justice | economics | education | housing | land use + transportation

## **Criminal Justice Policy Workgroup: Background Information**

## **Criminal Justice Vision Statement**

*This vision statement was created using the data from our needs assessment, as well as the information presented by the organizations, agencies, and other groups we have talked to thus far.*

The development and implementation of policies that support incarceration alternatives and promote the successful social, economic and overall healthy transition of formerly incarcerated people into our communities in order to reduce recidivism and promote justice.

## **Criminal Justice Problem Statements**

*These problem statements were created using the data from our needs assessment, as well as the information presented by the organizations, agencies, and other groups we have talked to thus far.*

### **1. Disproportionate Incarceration**

#### ***Problem Statement***

Although incarceration rates are high in the general population, communities of color bear a disproportionate burden. For example, while one in 106 white males is currently incarcerated, one in 15 adult African American males is incarcerated. In addition, specific neighborhoods suffer from high crime rates. This negatively impacts families and communities.

#### ***Narrative***

- An illustration of this inequity is that whites and African Americans use and sell drugs at similar rates, however, the arrest and incarceration of African Americans for drug offenses happens at significantly higher rates.
- Communities of color are more heavily impacted.
- Specific geographic communities are more heavily impacted. Areas of high arrest, crime and probationer and parolee residence are distributed unevenly and tend to be concentrated in particular neighborhoods. These neighborhoods face the multiple burdens of high rates of communicable disease, mental health concerns, substance abuse, stigma as a result of crime and arrest patterns, loss of wage earners, and the possible spread of gang activity.

### **2. Cycle of Incarceration**

#### ***Problem Statement***

Prison is a revolving door; once incarcerated there is a high chance of return to incarceration. Those re-entering communities after incarceration face barriers to securing jobs, housing, substance abuse treatment, and other benefits, and return to neighborhoods with few resources.

#### ***Narrative***

- Two-thirds of California's formerly incarcerated return to prison within three years, and more than 50% of those are sent back for technical parole violations alone.
- The formerly incarcerated face barriers to access resources that facilitate re-integration into society. These barriers include losing the right to vote, restrictions on employment, exclusion from public housing, and limited financial support including lifetime bans on food stamps, TANF and federal student loan programs for certain drug convictions.
- Concerning employment, studies have shown that the lack of a legitimate job can foster criminality and, conversely, that holding a legitimate job can diminish criminal conduct. (For

this reason, the re-entry movement has advocated for cities to ban the criminal conviction box on initial job applications).

- Research has also demonstrated that formerly incarcerated people who are sent back to socioeconomically disadvantaged neighborhoods that are less able to fund alternatives to prison were at greater risk for a technical parole violation, such as missing a meeting with a parole officer.
- The availability of mental health and substance abuse programs also affects the risk of technical violations. This suggests that parolees situated in more “resource rich” environments that provide these programs have lower risks of technical violations.
- The above barriers threaten successful re-entry and increases the chance of technical parole violations and recidivism.

### **3. INEFFECTIVE and DISPROPORTIONATE SENTENCING**

#### ***Problem Statement***

Increasingly punitive sentencing laws, such as the California Three-Strikes Law, have not reduced crime and have a racially inequitable effect.

#### ***Narrative***

- Analyses of the effects of California’s Three-Strikes Law find that 1) there has been an overwhelming impact on African Americans and Latinos; 2) nearly two-thirds of people imprisoned were sentenced for non-violent offenses; and 3) the counties that used three strikes most frequently have shown no greater declines in crime than those that used the law more sparingly.
- In Alameda County, the African American incarceration rate under Three- Strikes has been 19 times higher than the white rate. For Latinos, the incarceration rate has been nearly twice that of whites.

## **List of “Experts” and Relevant Reports**

*In addition to reviewing the local data on the criminal justice conditions in Oakland and the research on the pathways by which health and criminal justice conditions are linked, we spoke with “experts” in the field. We defined “experts” as people who have experience in the area of economics, through personal experience, academic research, job focus or any other way that gave them exposure to criminal justice issues. We also reviewed local reports and policy agendas that included policy recommendations related to criminal justice. This list covers both.*

### **“Experts” we spoke with:**

The experts we spoke with focused on two areas: Incarceration Alternative and Invisible Punishments during Re-entry.

The experts included:

- The Drug Policy Alliance
- Books Not Bars (Ella Baker Center) – *Zachary Norris, Director*
- Urban Strategies – *Bill Heiser*
- City of Oakland – *Isaac Taggart, Re-entry Specialist*
- All of Us or None – *Hamdiya Cooks and Manuel la Fontaine, Staff*
- Restorative Justice Oakland Youth (RJOY) – *Fania Davis, Director*
- Juvenile Justice Court – *Judge Gail Berreola, Judge*
- National Employment Law Program – *Madeline Neighly, Attorney*
- East Bay Community Law Center (EBCLC) – *Jessie Warner, Director, Clean Slate Initiative*
- Santa Rita Jail – *Harold Orr, Physician*
- Attorney – *Meredith Desautels*
- East Bay Asian Local Development Corporation – *Mary Hennessey*

