



## The People's Justice Guarantee

### Background:

The US criminal legal system is racist, xenophobic and fundamentally flawed. The mass incarceration crisis has destabilized millions of Americans, caused intergenerational harm and trauma to families, decimated entire communities, and disproportionately impacted communities of color – particularly Black communities. The federal government has an obligation to rebuild the legal system so that it is smaller, safer, less punitive, and more humane.

Twenty-five years ago, the "94 crime bill" accelerated America's emphasis on criminalization and punishment by specifically prioritizing arrest and incarceration over restorative justice and rehabilitation, leading to the devastation of families, communities of color, immigrant communities and low-income people in America.<sup>1</sup> Although the 94 crime bill and other harsh laws passed in the 1990s did not cause the era of mass incarceration, it encouraged states to lock up more people for longer periods of time - awarding states billions of dollars to construct prisons if they passed Truth-In-Sentencing laws requiring prisoners to serve at least 85% of their sentences.<sup>2</sup>

### The Criminal Legal System in America:

- America accounts for 4% of the world's population<sup>3</sup>, but 22% of the world's prisoners.<sup>4</sup>
- 1 in 2 US adults<sup>5</sup>, including nearly 1 in 28 children<sup>6</sup>, have had an immediate family member spend at least one or more nights in jail.
- Black and brown Americans make up 31% of America's population<sup>7</sup> but 56% of the incarcerated population.<sup>8</sup>
- The US government oversees the largest and fastest growing immigration detention system in the world,<sup>9</sup> spending more resources on the criminalization of immigrants than on all other federal enforcement agencies combined.<sup>10</sup>
- Women, LGBTQ+ people, immigrants and people with disabilities have also been disproportionately impacted by criminal legal system and subjected to the traumatizing effects of practices like solitary confinement.<sup>11</sup>

<sup>1</sup> Center for American Progress, "The 1994 Crime Bill Continues to Undercut Justice Reform—Here's How to Stop It," (March 26, 2019) <https://www.americanprogress.org/issues/criminal-justice/reports/2019/03/26/467486/1994-crime-bill-continues-undercut-justice-reform-heres-stop/>

<sup>2</sup> Ibid.

<sup>3</sup> Census, "US and World Population Clock" (Nov 12, 2019) <https://www.census.gov/popclock/>

<sup>4</sup> World Prison Brief, "Prison Population Total" (Nov 12, 2019) <https://www.prisonstudies.org/highest-to-lowest/prison-population-total>

<sup>5</sup> Fwd.us, "Report: Half of All U.S. Adults Have Immediate Family Member Currently or Previously Incarcerated," (Dec 6, 2018) <https://www.fwd.us/news/groundbreaking-report-half-of-all-u-s-adults-have-immediate-family-member-currently-or-previously-incarcerated/>

<sup>6</sup> The Leadership Conference, "Vision for Justice 2020 and Beyond: A New Paradigm for Public Safety" (September 2019) <http://civilrightsdocs.info/pdf/reports/Vision-For-Justice-2020-SHORT.pdf>

<sup>7</sup> Census, "Quick Facts: US" (Nov 12, 2019) <https://www.census.gov/quickfacts/fact/table/US/PST045218>

<sup>8</sup> US Department of Justice, Bureau of Prison, "Prisoners in 2017," (April 2019) <https://www.census.gov/quickfacts/fact/table/US/PST045218>

<sup>9</sup> PBS, The US Immigration Detention Boom (October 18, 2011).

<sup>10</sup> Migration Policy Institute, "Immigration Enforcement in the United States: The Rise of a Formidable Machinery," (Jan. 2013) <https://www.migrationpolicy.org/research/immigration-enforcement-united-states-rise-formidable-machinery>.

<sup>11</sup> Vox, "The Case Against Solitary Confinement" (April 17, 2019) <https://www.vox.com/future-perfect/2019/4/17/18305109/solitary-confinement-prison-criminal-justice-reform>



### The People's Justice Guarantee:

In response to the dangerous and harmful inequities caused by the criminal injustice system, Congresswoman Ayanna Pressley introduced [The People's Justice Guarantee](#) - a comprehensive, resolution devoted to dismantling the injustices within the criminal legal system so that it is smaller, safer, less punitive, and more humane. More than incremental reforms, Pressley's resolution describes a People's Process that centers the voices of those most impacted by criminal and racial injustice and fundamentally deconstructs and re-envision the current system. As the child of a parent who was in and out of prison, Congresswoman Pressley knows firsthand the traumatizing impacts of the broken and corrupt criminal legal system. The People's Justice Guarantee is based on 5 guiding principles:

1. **Shared Power**
2. **Freedom**
3. **Equality**
4. **Safety**
5. **Human Dignity**

The People's Justice Guarantee is a new progressive vision for decarceration and justice in America, outlining a framework that will transform the American criminal legal system to one that meets America's foundational promise of justice for all. Specifically, the People's Justice Guarantee calls for:

- **Prioritizing Decarceration and Dramatically Reducing Jail and Prison Populations**
- **Eliminating Wealth-Based Discrimination and Corporate Profiteering**
- **Transforming the Experience of Confinement**
- **Investing in Historically Impacted Communities**

Congresswoman Pressley has been a longtime champion in the fight for justice for the formerly and currently incarcerated as well as their families and communities. In July, in response to the U.S. Department of Justice's announcement that they will resume the use of the death penalty for the first time in more than 16 years, Congresswoman Pressley introduced [H.R. 4052](#), legislation to prohibit the use of the death penalty at the federal level and require re-sentencing of those currently on death row. Additionally, [she wrote a letter](#) with Congressman Jamie Raskin, Chairman of the Oversight Subcommittee on Civil Rights and Civil Liberties, to Attorney General Barr and the Bureau of Prisons demanding answers on the Administrations' plans to resume use of the death penalty.