

Every month since February 1987 the Olympia Fellowship of Reconciliation has produced one-hour TV programs on issues related to peace, social justice, economics, the environment, and nonviolence.

The Olympia FOR's program airs several times every week for the entire month on Thurston Community Television (TCTV), channel 22 for Thurston County's cable TV subscribers. You can see TCTV's schedule at www.tctv.net.

You can also watch the program described below (and more than 100 of our previous interview programs and special programs) at the Olympia FOR's website, www.olympiafor.org. Simply click the TV programs link to reach www.olympiafor.org/tv_programs.htm, scroll down, and click the program you want to watch.

Many of our website's TV program listings also include a .pdf document describing the program.

FEBRUARY 2014

“RACIAL DISPARITIES IN THE CRIMINAL JUSTICE SYSTEM: PROBLEMS AND SOLUTIONS”

by GLEN ANDERSON, PRODUCER AND HOST OF THIS TV SERIES

Everybody knows that the criminal justice system in the United States is full of problems. Some of the problems are well known, but our society and our political system seem unable to solve them. Yet, workable solutions do exist.

The Olympia Fellowship of Reconciliation's February 2014 TV program examines some of our criminal justice system's problems – with a special emphasis on the racial disparities – and we also look at solutions.

We have three knowledgeable guests:

- Larry Jefferson has 17 years of experience as a defense attorney in King County and in Thurston County, where he provides legal defense for low-income persons through the Thurston County Office of Assigned Counsel. He is also president of Thurston County Bar Association. During this TV interview he speaks only as an individual, not for either of those organizations.
- Sam Merrill chairs a statewide Quaker-based nonprofit organization, the Friends Committee on Washington Public Policy (FCWPP), which works on criminal justice and a number of other social and economic problems at the state level. FCWPP researches the issues, educates the public, and advocates for significant reforms at the state legislature.
- Steven Aldrich works as FCWPP's Legislative Advocate and Policy Analyst. He and a number of other members of FCWPP do truly impressive work.

The United States imprisons more people than any other nation in the world. This is true in raw numbers and also on a per capita basis. The U.S. has about 5% of the world's population, but we incarcerate about 25% of the people imprisoned anywhere on the planet

We show some graphs with trends going back to the 1930s, and we discuss some racial disparities, including some that Larry Jefferson, an African-American, has seen during his 17 years as a defense attorney.

Economic class also is an important factor in how our criminal justice system works. As with race, economic class affects many aspects and every step along the way from whom the police stop to who can afford good legal defense. The worst situation is to be both poor and black.

People in prison are not a representative cross-section of the public, but rather are people who have been disadvantaged in various ways, including problems with their education, families, and personal functioning. Even if not deliberately, our criminal justice system puts into prison the people who are less successful in our society.

Instead of our current practice, we should imprison only a small number of people who cannot live in the outside world without damaging other people. We need to help people get the skills, etc., so they can function effectively in the outside world.

The “War on Drugs” makes these problems even worse.

For a few decades, politicians have been obsessed with showing they are “tough on crime” by imposing long sentences, mandatory minimum sentences, and so forth. This “tough on crime” mania also compounds the injustices in our criminal justice system, and it distracts people from actually solving the underlying problems.

In 1981 the Washington State Legislature passed a law intended to reduce inconsistencies in the sentences judges were imposing. HB 440, the “determinate sentencing” law, tightened the range of sentences that could be imposed for various crimes, and it eliminated parole.

In most states, the agency that runs its prisons is called the “Department of Corrections.” But instead of “correcting” people, the “tough on crime” politicians have focused almost entirely on punishment – which does not help people improve their behavior – and cut the funding for rehabilitation and education and other programs that used to exist in the prisons so people could improve themselves when they get out.

While this TV program explores problems, we also promote solutions. Humane and effective alternatives do exist.

Research shows that punishment and vengeance do not work. They only compound the problems. If we want to reduce crime and improve society, we should rehabilitate people so they will be better able to take care of themselves in the outside world. People need education, skills, treatment, therapy, etc.

One success story is that in 2009 the Washington State Legislature restored the right to vote after the person has completed prison time and some other obligations. The person can re-register and start voting again. We need to find other ways to help people re-connect and restore their relationships with mainstream society instead of being permanently marginalized.

Another success is that Washington State acted wisely to reduce the number of juveniles in detention.

Restorative Justice is a humane and very practical alternative to the typical criminal justice system. Instead of focusing on punishing “bad guys,” it looks carefully at who is hurting – victims, offenders and others – and devises ways to heal the brokenness and the damage. A few years ago the Washington State Legislature passed a law strengthening Restorative Justice in our state.

The Olympia FOR’s April 2010 TV program focused on Restorative Justice and other kinds of restorative practices. See the April 2010 link on the TV programs page at www.olympiafor.org

Now our county has special courts for veterans, drug users, and persons with mental illness. All of these are making good progress toward helping special populations in ways that ordinary courts were not doing.

Juvenile drug court helps kids who have had no success and use a different methodology in which everybody – including the prosecutor and the judge – helps the kid turn around. When the kid makes weekly progress and eventually graduates from the program, everybody applauds.

Of course, people who are really dangerous can be kept away from society so they don’t hurt people. But very many people in prison are not dangerous. We can save a lot of lives – and save a lot of money – by discerning what is really going on and addressing the various kinds of problems in smarter ways.

Our criminal justice system is not designed to really help people. Lawyers are trained to win, but this is not necessarily what the clients need. Defendants simply want to get out of the system and go home. We need to rethink our system and redesign it to address the real problems and provide real solutions.

We need opportunities for people to really get the help that they actually need. This is especially true for crimes that do not involve violence (*e.g.*, drug crimes, which are really public health matters).

We need the Legislature and the Congress to fund solutions that will solve problems. The cost of incarceration competes with the state's ability to fund the services that would reduce crime and keep people out of prison (education, health, housing, etc.). We need to invest in prevention! Let's help people get off the treadmill of coming back into the system over and over again. People who are sober and free from drugs – and people who are working or going to school – are much less likely to commit a lot of crimes.

Besides reforming the criminal justice system itself, we should also solve some of the underlying social, economic and political problems that lead to crime.

Treatment for anger management, mental health problems, drug and alcohol abuse, etc., would reduce crime, and reduce the number of future victims. These kinds of treatment would reduce the workload for police and courts and jails and prisons. Treatment would save taxpayers money. Treatment would help the individuals involved, and it would strengthen society overall. Let's get off the treadmill of violence and legal problems. Why don't elected officials fund treatment?

Some very good research has proven that humane reforms can solve problems and save taxpayers money. Now that governments are suffering fiscal crises, politicians are willing to consider this research and soften their "tough on crime" obsession. This is true even of politicians across the spectrum, including some conservatives.

The widening gap between rich and poor causes many social problems, including crime. Economic disparities are associated with unhappiness of people on each side of the widening economic gap.

Schools need to better serve the kids who don't fit in.

When we ignore the needs of our neighbors we also hurt the whole world. If we can't take care of our neighbors' needs we won't be able to solve the world's problems.

The public is right to be concerned about guns. Guns cause many more suicides than homicides.

One statewide organization that has been working on these problems and solutions is the non-profit organization that Sam and Steven work with – the Friends Committee on Washington Public Policy (www.fcwpp.org). I appreciate FCWPP's ethical positions on the issues, FCWPP's smart solutions to problems, and FCWPP's practical ways of advocating to the general public and through the State Legislature. See www.fcwpp.org for more information.

Quakers have a long history of caring about the criminal justice system. Quakers' religious values and their historical first-hand experience have caused them to work on criminal justice issues for hundreds of years.

The US's criminal "justice" system is vastly more punitive and expensive than those of other Western democracies – but the US's system often makes problems worse. It causes more crime, and it fails to solve the underlying problems. It is based on REVENGE instead of rehabilitation. While purporting to punish crime, it actually reinforces barriers between races, social classes, and ages.

In contrast, "RESTORATIVE" justice would reveal and heal the brokenness that causes crime – brokenness within individuals and within communities.

We also need a "TRANSFORMATIVE" justice that would address the root causes of crime and create true healing for social and economic justice. We must rehabilitate individuals and our whole society and economy.

A number of high quality non-profit organizations are working on solutions to the problems that plague our criminal justice system. These include the Friends Committee on Washington Public Policy (www.fcwpp.org), the ACLU of Washington (www.aclu-wa.org), and others.

At the same, these and many other organizations work for social justice, racial justice, and economic justice in many ways.