



RECONNECTING, REALIZING AND REIMAGINING JUSTICE

ADVANCING ECONOMIC JUSTICE FOR
INDIVIDUALS AND COMMUNITIES
IMPACTED BY THE CRIMINAL JUSTICE SYSTEM

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CLASP

Policy solutions that work for low-income people

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ABOUT CLASP

The Center for Law and Social Policy (CLASP) is a national, nonpartisan, antipoverty organization advancing policy solutions for people with low incomes. We offer trusted expertise, a deeply knowledgeable staff, and a commitment to practical yet visionary approaches to opportunity for all. We lift up the voices of children, families, and individuals with low incomes, equip advocates with policy ideas that work, and help public officials put good ideas into practice. Our solutions directly address the barriers that individuals and families face because of race, ethnicity, and immigration status, in addition to low income.

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Policy solutions that work for low-income people

EXECUTIVE SUMMARY

Reversing our country's prejudiced criminal justice system requires developing a comprehensive vision for community investment that doesn't rely on a system of oppression. Through targeted policy changes and investments in education and workforce opportunities that center individuals and communities impacted by the criminal justice system, we can advance a positive vision for what justice should be.

In July 2019, CLASP convened over 60 national, state, and local advocates, public systems leaders, policymakers, youth and young adults and other partners from a wide range of disciplines including workforce, youth development, education, and criminal justice. These stakeholders bridged economic and criminal justice reform with an intentional focus on the voices of those who have been directly impacted by the criminal justice system.

THIS REPORT UPLIFTS FOUR KEY TAKEAWAYS FOR RECONNECTING, REALIZING AND REIMAGINING JUSTICE:

- 1. Criminal justice reform must be taken with an anti-racist lens.** To reimagine the system, we must undo the decades of debilitating policies that preserve racial and economic inequality.
- 2. We must center individuals, families, and communities directly impacted by our unjust criminal justice system.** Reimagining and abolishing the current system will require policymakers and the public to first recognize and value their humanity.
- 3. Advancing economic justice is crucial to effectuating real change.** Quality jobs, education, and healing need to be prioritized at all levels of the criminal justice system.
- 4. We need to move beyond small reforms to reimagine the entire system.** We must work within our existing systems with the ultimate goal of reimagining our broken criminal justice system.

This report also presents a justice action agenda to **advance economic justice** for individuals and communities impacted by the criminal justice system. Economic justice demands that all people impacted by mass incarceration can universally access economic opportunity.

We can move towards economic justice by using a range of anti-poverty and equity levers including increasing wages and income; bolstering employment, education and workforce training pathways; and systematically integrating healing, mental health, and wellbeing. However, these strategies alone will not rectify the racist and overt systems of power¹ in our nation's criminal justice system that undermine the success of too many. We need a culture shift to build the collective will to support positive reforms that empower those directly impacted by the criminal justice system.



RECONNECTING, REALIZING & REIMAGINING JUSTICE CONVENING

CLASP convened over 60 national, state, and local partners, including advocates and policymakers, in Washington, D.C. in July 2019. Their expertise spanned a variety of issues such as workforce, youth development, education, and corrections.

The core objectives of the convening were to:

- **Explore strategies to effectively center the needs and experiences of individuals impacted by the criminal justice system (including youth, adults, and families of color) in policy development, implementation, and accountability discussions;**
- **Uplift best practices and policies from states and local communities related to education and workforce development that both prevent justice system involvement, and provide opportunities during and after incarceration; and**
- **Identify immediate and long-term opportunities that focus on economic justice policy to reimagine justice.**

The convening began with a discussion that centered leaders from a broad set of policy and grassroots organizations, who were each directly impacted by the criminal justice system. The conversation touched on a wide variety of issues from their personal and collective experiences, including what barriers directly impacted people face in leading policy change and how they overcame those barriers. The discussants elevated ways to build and sustain pathways to opportunity, wellness, and justice for youth and adults.

The next part of the convening featured state and local leaders advancing economic justice for people impacted by the criminal justice system. The panelists shared their experiences working across systems, achieving policy wins, and building partnerships. In addition, they explained how to identify what works, what doesn't, what we need, and whose voices are necessary to reimagine an intersectional criminal justice and economic justice agenda.

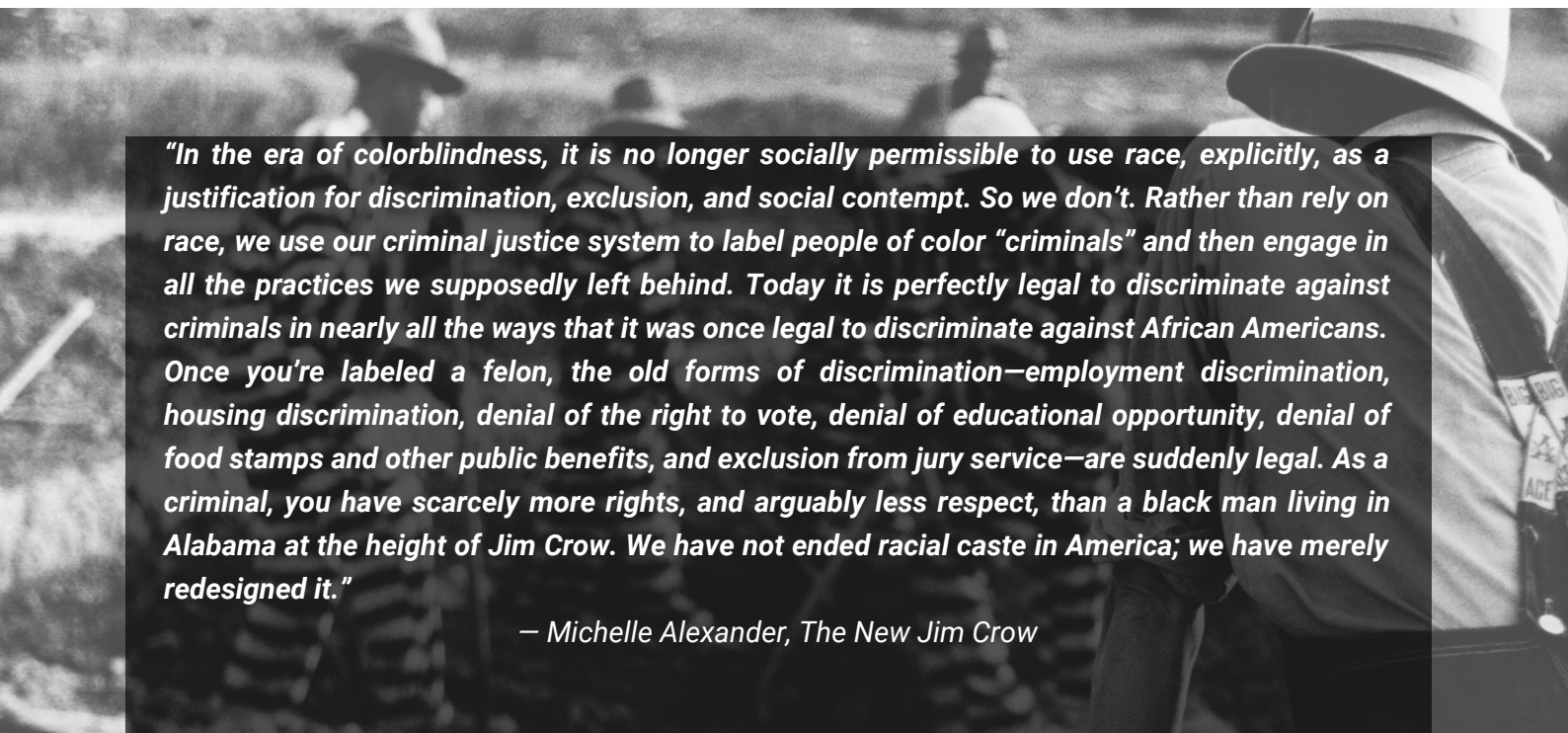
The convening aimed to develop a justice action agenda that prioritizes economic justice for people impacted by the criminal justice system. We concluded by laying out a strategic framework for realizing this vision.

Criminal justice reform must use an anti-racist lens to undo decades of debilitating policies that preserve racial and economic inequality.

Racism and poverty are the key drivers of mass incarceration, thereby perpetuating a cycle of incarceration and poverty. The overrepresentation of people of color and people with low incomes in the criminal justice system is no accident. It is a direct result of racist “law-and-order” policies and the criminalization of poverty.² In addition, contact with the criminal justice system is one of the greatest barriers to economic mobility. Alongside efforts to reduce racial bias in the justice system, we must ensure that economic reforms target communities of color who have been most impacted by such discriminatory policies.

The 1994 Violent Crime Control and Law Enforcement Act paved the way for modern mass incarceration targeting Black and Brown communities. The law provided funding for states to build new prisons, established minimum sentencing rules and federal “three-strike” laws, eliminated access to postsecondary education for incarcerated individuals, and introduced 100,000 more police officers to cities nationwide. The law dramatically increased surveillance and harsher punishments in low-income communities of color, while inadequately funding intervention programs. Taken together, these provisions drove the exponential rise of incarceration in the 21st century.³

An anti-racist approach to criminal justice reform requires us to dismantle racist structures and address the root cause of justice system involvement. Research shows that communities with high levels of unemployment and poverty experience greater levels of crime.⁴ However, when these communities are overwhelmingly made up of people of color, our nation’s response has historically been to criminalize rather than to invest. An anti-racist approach means, in addition to ending discriminatory policing, we make investments to ensure Black and Brown communities have full access to quality jobs, educational opportunity, and health care, including mental health services.



“In the era of colorblindness, it is no longer socially permissible to use race, explicitly, as a justification for discrimination, exclusion, and social contempt. So we don’t. Rather than rely on race, we use our criminal justice system to label people of color “criminals” and then engage in all the practices we supposedly left behind. Today it is perfectly legal to discriminate against criminals in nearly all the ways that it was once legal to discriminate against African Americans. Once you’re labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service—are suddenly legal. As a criminal, you have scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow. We have not ended racial caste in America; we have merely redesigned it.”

— Michelle Alexander, The New Jim Crow

WHO IS MOST IMPACTED BY THE CRIMINAL JUSTICE SYSTEM?

6.8 MILLION



UNDER CORRECTIONAL CONTROL

In the United States, 6.8 million people live under some form of correctional control. Specifically:

- 2.3 million people are incarcerated in state and federal prisons.
- 4.5 million people are under some form of supervision—which includes people who are on probation and parole.⁵
- Another 12 million people are booked in county jails each year, many of whom are awaiting trial because they simply cannot afford to pay monetary bail.⁶
- In addition, immigrants have faced heightened criminalization during the Trump administration. In Fiscal Year 2019, approximately 143,000 immigrants were arrested. And, on average, over 50,000 immigrants per day were being detained across the country—an all-time high.⁷

The hallmark of injustice in the carceral system is the overrepresentation of low-income communities and communities of color. Racial bias and overpolicing in communities of color have contributed to Black and Latino people being more likely to be arrested, sentenced, and more severely punished for the same crimes as white people. In particular, Black people are five times more likely, while Hispanic people are twice as likely, to be incarcerated as white people.⁸ In addition, research indicates that Native Americans⁹ and certain groups of Asian Americans¹⁰ and Pacific Islanders face disproportionate rates of incarceration. At the same time, Asian Americans, American Indians and Alaska Natives, and Native Hawaiians and other Pacific Islanders are classified as “other” throughout the criminal justice system, making it difficult to accurately determine their representation.

Community divestment is a systemic problem tied to incarceration.

The criminal justice system reflects a gross failure of policymakers to meaningfully invest in people living in under-resourced communities. Greater support is needed to improve public education, workforce development, behavioral and mental health (including addiction treatment), and the general quality of life in historically oppressed communities. Members of these communities are disproportionately involved in the justice system, in part, as a result of these systemic gaps in resources:

IN ADDITION TO BLACK AND BROWN COMMUNITIES, THE CRIMINAL JUSTICE SYSTEM TARGETS:**PEOPLE WITH LOW INCOMES**

Across racial/ethnic and gender divides, the median wages of individuals before incarceration is 41 percent less than their peers of similar ages, showing that the system targets those with diminished economic opportunity.¹¹

PEOPLE LACKING EDUCATIONAL OPPORTUNITY

About one in three incarcerated individuals lack a high-school diploma or its equivalent and only 6 percent have completed a college education or beyond.¹²

PEOPLE WITH MENTAL HEALTH CARE NEEDS

People with a mental health condition are 2.5 times more likely to be arrested than their peers. Further, many people are arrested because of their mental health condition. In fact, between 50 to 75 percent of incarcerated people have a substance use disorder and more than half have a mental health care need.¹³

These stark statistics demonstrate how the criminal justice system far too often serves as a catch all and individuals who encounter the justice system often lack educational, employment, and health and mental health opportunities prior to incarceration.

For many people impacted by the criminal justice system, punitive restrictions keep economic security out of reach.

Upon return to their communities, individuals impacted by the criminal justice system face nearly insurmountable barriers to economic opportunity, perpetuating a cycle of poverty and incarceration. Across the nation there are over 48,000 laws and regulations precluding individuals impacted by the criminal justice system from employment, education, housing, and more. These barriers are known as collateral consequences; however, these consequences are more often permanent punishments.

Many returning community members face challenges finding stable housing and are locked out of employment and career advancement opportunities due to a lack of work experience, discrimination in job and postsecondary applications, and arbitrary professional licensing bans.

Unsurprisingly, the unemployment rate among formerly incarcerated people is five times that of the general U.S. population.¹⁴ These barriers contribute to two-thirds of returning community members being rearrested within 3 years of being released.¹⁵

Despite these incredible challenges, individuals impacted by the criminal justice system have been at the forefront of advancing economic opportunity within their communities.

We have seen significant wins including:

- A movement of the federal government, at least 35 states and over 150 localities removing questions regarding criminal record history on job applications (known as Ban the Box);¹⁶
- Partial restoration of Federal Pell Grants for incarcerated individuals through the Second Chance Pell Pilot Program;¹⁷
- Dedicated funding for workforce training through the Second Chance Act Grant Program; and Genuine efforts from states and localities to decarcerate, decriminalize, and expunge records.¹⁸

These efforts have engendered an unprecedented moment in criminal justice reform. Lawmakers on both sides of the aisle recognize the unconscionable financial burden of mass incarceration on society and have responded with incremental reforms.

However, if we are to realize true justice and economic opportunity for those who have been impacted, we must do more. We must reimagine the entire justice system to be one that values humanity. We must dismantle its oppressive structure.

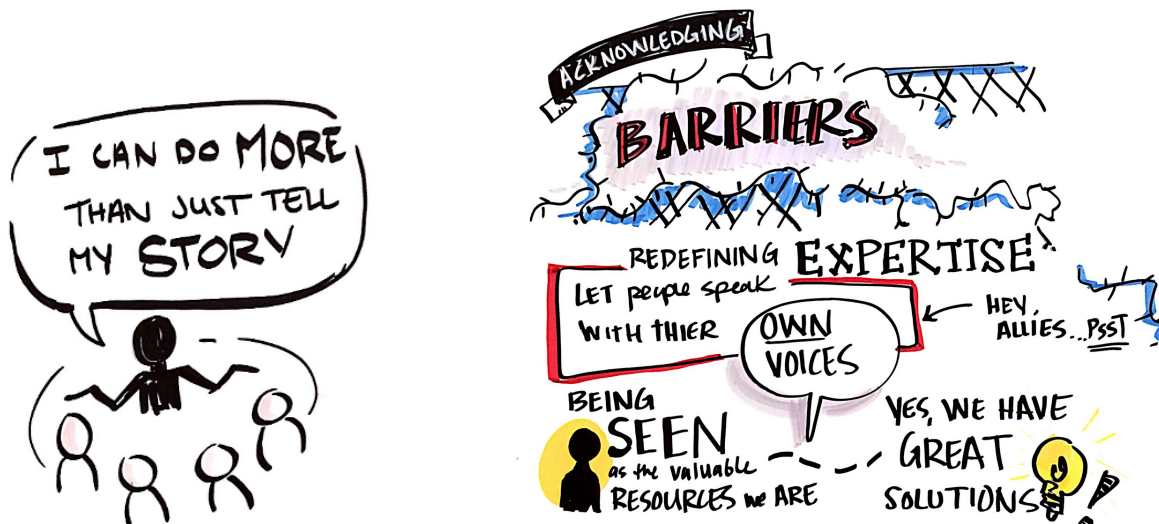
Individuals impacted by the criminal justice system need to be front and center.

This includes those directly impacted as well as their families and communities.

Reimagining and abolishing the current system requires policymakers and the public to recognize and value the humanity of people impacted by the criminal justice system. Too often, directly impacted people are excluded from criminal justice reform conversations, leading to ineffective and exclusive policies. We must be willing to disrupt current power dynamics by taking the lead from people impacted by the justice system when advocating for policy and systems change. Looking to those with lived experience to lead and inform policy discussions is paramount to reimagining a just system.



To build sustainable power, we must design conversations around reform that center the voices of impacted people and engage them in private and public leadership and governance structures. We must also uplift coalitions led by directly impacted people and engage with community leaders and organizations on the ground.



Humanization is a necessary step to envisioning new models for the criminal justice system.

We must change the predominant narratives associated with people impacted by the criminal justice system, which often label them as dangerous and undeserving of opportunity. Further, these negative narratives are often analogous to common perceptions about people of color broadly, stripping power from oppressed communities.

The humanization of directly impacted people is a “call to action” to change people’s hearts. To acknowledge someone’s humanity, despite their circumstance, with a level of empathy and compassion is necessary to ending mass incarceration in this country. Centering the lived experiences of those touched by the criminal justice system ensures a nuanced approach to policy decisions. Uplifting the voices of directly impacted individuals also allows us to move beyond simple reforms and reveals how poverty and racism are drivers of mass incarceration.

Humanizing people touched by the criminal justice system means addressing the shame and stigma associated with incarceration head on. Ending mass incarceration is impossible without having tough discussions about the reason and effectiveness of carceral punishment. What is the purpose of confinement? How long does society believe people must be incarcerated to pay their debt to society? Why are people incarcerated in the first place? What about the stigma associated with committing “violent offenses?” Humanization calls for these difficult conversations.

OPERATION RESTORATION

Operation Restoration is an organization founded and led by women impacted by incarceration. They support currently and formerly incarcerated women through postsecondary education, workforce training, job placement, case management, and advocacy. Operation Restoration focuses on advancing economic equity for their staff, clients, and community, while uplifting voices of people who have been affected by incarceration into national policy and advocacy movements. The organization leads the Unlock Higher Ed coalition, a broad group of stakeholders across the country working to advance public policy to increase access to education for individuals impacted by the criminal justice system.

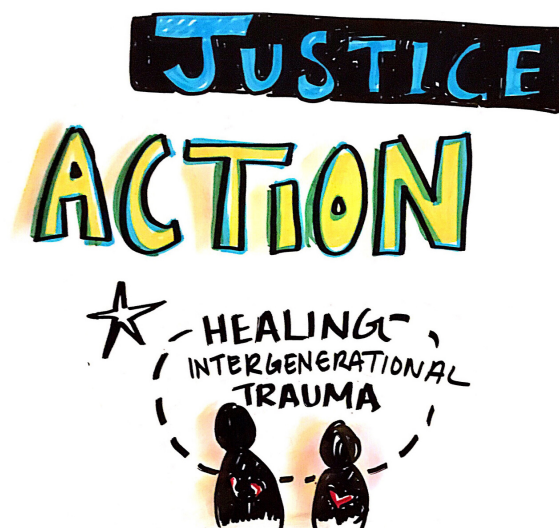


Moving from criminal justice to a restorative justice model.

Humanizing people who have been impacted by the criminal justice system also demands that restoration be part of carceral spaces and requires us to explore alternative approaches to incarceration. **Restorative justice** models have gained momentum as a community-centered alternative to the punitive criminal justice system.¹⁹ Practiced and developed among native and indigenous peoples,²⁰ restorative justice practices facilitate a formal dialogue among the responsible party, harmed parties, and the affected community. It aims to identify constructive responses to crime and produce consensus-based plans to repair harm, meet victims' needs, and rebuild relationships. It also acknowledges that many individuals and communities impacted by the criminal justice system are often themselves victims of violence and systemic injustice.

Acknowledging that those who have been incarcerated are vital members of our community means that we must prioritize their economic success and healing. Our current system is not designed to do that. **While ninety-five percent of incarcerated individuals will eventually return to the community**, the vast majority of jails and prisons provide minimal educational and workforce development programming and have limited access to health and mental health care.

Recognizing the humanity of individuals also necessitates a paradigm shift in reentry efforts. Returning community members are often directed into low-wage jobs without advancement opportunities.²¹ Humanization allows us to change this narrative and ensure that people impacted by the justice system have access to high quality jobs and educational opportunities when they return to their communities, as well as access to capital to start their own businesses and build wealth. It is also critical that these jobs and educational opportunities provide health and mental health supports that are culturally responsive so returning community members have opportunities to heal.





THRIVE FELLOWSHIP

The THRIVE Fellowship in Louisville, Kentucky was created through a privately funded partnership with Cities United and the Louisville Office for Safe and Healthy Neighborhoods. It is designed for young African American men who are 22 to 26 years old and have misdemeanor convictions resulting from current or previous involvement with the criminal justice system. They are awarded a two-year fellowship to prepare them for careers in public service. The paid fellowship engages them in civic engagement, leadership development, case management, and workforce training to encourage a generation of public sector leaders who have been impacted by the criminal justice system.

Shifting power to people impacted by incarceration is key to effective criminal justice reform.

Shifting power to individuals impacted by the criminal justice system can be accomplished by coalition and grassroots collaboration. National organizations must engage and be led by partners on the ground. Many of the convening discussants referenced building power amongst their peers and within their communities as an essential component to any anti-incarceration strategy. However, they also acknowledged the challenges they have faced among allies, philanthropy, and other community members.

Despite being leaders and experts on criminal justice reform through their lived experience, convening participants acknowledged that they are often excluded from conversations about policy change. If we are to truly reimagine a justice system that centers their humanity and dignity, then we must provide them space and direct resources toward the work they lead.

“We need to change what we view as expertise. The directly impacted population is the only population where our experiences don't count. If you are sick, you go to the doctor. If you need legal advice you go to a lawyer. No one consults impacted people when writing policy.”

– Syrita Steib Martin, Operation Restoration

Disrupting our current power dynamics must also include redirecting resources away from mass incarceration towards investing in impacted communities through systems and policy change. We must recognize and dismantle the capitalist structures, including forced prison labor and private prisons, that incentivize mass incarceration and direct resources away from communities.²² A community-centered and anti-racist approach to reform must include large-scale investments in the success of communities that have been harmed by the criminal justice system.

“This is not how it is everywhere. We could stop the cycle right here.”

– Carlil Pittman, Good Kids Mad City

WHO IS BEING EXCLUDED FROM THE CONVERSATION ABOUT REFORM?

One of the discussants noted that policymakers are often focused on the current issue and do not think enough about the past or future consequences when advancing reform. This has led to many individuals being excluded from the benefits of reform, even though they are often the ones most harmed by the criminal justice system.

Most criminal justice reform efforts have focused on people with nonviolent or drug charges. This focus may be more palatable and signal incremental reform politically. But, more than half of people incarcerated in state prisons are serving sentences for violent offenses.²³ Reimagining a justice system centered in humanity will require us to advance solutions for all individuals impacted by the justice system, regardless of their conviction.

For example, while the FIRST STEP Act was lauded as a major reform effort, many people were excluded from benefitting from the new law, creating structures that may perpetuate inequity. The law created a new risk assessment tool to determine who may be eligible for time off credits. Research has shown that similar assessments can be racially biased by relying on data such as age or past arrests, in which people of color are overrepresented due to the over-policing of their communities. Furthermore, immigrants and individuals incarcerated for felonies while in a criminal street gang are barred from receiving time off credits. History and data demonstrate that young men of color are more likely to be profiled and arrested as gang members despite research showing that adolescent gang members are disproportionately white youth.²⁴ While the new law has led to over 3,000 people being released from federal custody, and it has reduced sentences for over 1,600 people,²⁵ we must begin working on the next step to eliminate racial inequity and ensure justice is available to all.

Advancing economic justice is crucial to effectuating real change.

Quality employment, education, and healing need to be prioritized at all levels of the criminal justice system.

For us to truly realize justice, we must advance economic justice for those affected by the justice system. We must develop a comprehensive vision for community investment that doesn't rely on an oppressive criminal justice system by using a range of anti-poverty and equity levers. These include policies or programs to strengthen access to wages and income, workforce development and employment, education and training pathways, healing, mental health care, and wellbeing.

“This is the biggest civil rights issue happening right now. One in three. It is not them; it is us.”
– Sodiqa Williams, Safer Foundation

We must eliminate and rethink barriers to economic mobility (e.g.) licensing bans and expungement) with an understanding that poverty is a root cause of involvement in the criminal justice system.

One convening discussant noted that the barriers to economic mobility for those impacted by the criminal justice system traps people in poverty. However, they also noted that poverty is also a root cause of justice system involvement, creating a cycle of poverty and incarceration among oppressed communities. An estimated one in three Americans have a criminal record. Having a record means they are subject to over 40,000 collateral consequences, or policy restrictions limiting their economic security and opportunities. They include bans on state occupational licensing, public assistance, housing, financial aid, and more. Oftentimes these collateral consequences have nothing to do with the type of offense that was committed.²⁶ They only serve as barriers to a person's economic self-sufficiency and act as perpetual punishment after completing a sentence.

Illinois has been working to address the impact of collateral consequences through expungement. When the state was considering legalizing cannabis, advocates recognized that hundreds of thousands of individuals were being punished for something that was now legal, the majority of whom were people of color. As the state pursued legalization with the Cannabis Regulation and Tax Act, advocates pushed to include a form of reparations to allow about 700,000 people to be eligible to have their records expunged upon its passage.²⁷ The legislation notably requires 25 percent of tax revenues from cannabis to be invested into communities impacted by the War on Drugs. The revenue will be distributed through grants for economic development, violence prevention, and other community investments in areas disproportionately impacted by cannabis prohibition. Furthermore, 20 percent of the revenue generated will be allocated to supporting mental health and substance abuse treatment.²⁸

Other states that have passed marijuana laws or are looking to legalize and/or decriminalize drug offenses should look to Illinois's example and recognize the disparate impact the War on Drugs has had on communities of color. There is also an opportunity to replicate this investment model in federal efforts to legalize and decriminalize cannabis.

BEST PRACTICE IN YOUTH DEVELOPMENT, WORKFORCE DEVELOPMENT AND REENTRY: THE COMPASS ROSE COLLABORATIVE

A three-year program funded by the U.S. Department of Labor (DOL), the Compass Rose Collaborative (CRC)²⁹ addresses one of the most pressing consequences of our nation's incarceration problem: the unemployment and economic instability challenges that young people encounter as a result of interaction with the juvenile and adult criminal justice system, whether they are returning from incarceration or detention or are on probation. CRC connects young adults (primarily young people of color) ages 18-24 with employment and education pathways. CRC provides critical resources and safe spaces, mentors staff, and supports young people on their transformation journey. It helps them navigate systemic barriers and aids communities in creating lasting partnerships for systemic change.



Education pathways and partnerships must be prioritized during incarceration.

The 1994 Violent Crime Control and Law Enforcement Act prevented incarcerated individuals from receiving Pell grants, significantly reducing the number of postsecondary opportunities available to them. While the Workforce Innovation and Opportunity Act (WIOA) provides some federal funding to serve incarcerated individuals, there are not enough resources for incarcerated individuals to access the services they need.

More than nine in ten people who have been incarcerated lack a college or other postsecondary degree, emphasizing the lack of opportunities they faced prior to incarceration.³⁰ For many who are incarcerated, correctional education is their first chance at receiving education services. Quality education and workforce training pathways from incarceration to reentry can help individuals achieve economic mobility, breaking the damaging cycle of incarceration and poverty.

States must systemically invest in education and workforce training pathways for incarcerated individuals that lead to quality employment upon release. These opportunities should follow a career pathway model and help seamlessly transition individuals when they reenter their communities. State departments of corrections, education, and labor should align these efforts. While there is momentum around restoring Pell grants to incarcerated individuals, quality education along the continuum of adult basic education through postsecondary opportunities must continue to be prioritized through investment at the state and local levels.³¹

Washington, D.C. has recently prioritized education and workforce training pathways that lead to good jobs for incarcerated individuals. To align D.C.'s labor market need to program offerings, its jail offers certificates in construction where individuals can earn \$28 to \$78 an hour when they are released. Despite not receiving funding for postsecondary programs, D.C.'s jail is offering postsecondary courses through private partnerships with Howard University and Georgetown University. The jail is also enrolling students in online courses at Ashland University through the Second Chance Pell experimental site initiative, an Obama administration program that allows about 12,000 incarcerated students access to Pell grants.³²

Healing must be incorporated into reform.

Without opportunities for healing, we will not be able to shift the criminal justice system's reliance on punishment. Mass incarceration does not end community violence; rather, it prolongs a cycle of trauma among historically oppressed communities. We must develop alternatives that repair the historical, institutional, and generational trauma the criminal justice system has inflicted and allow victims and communities to heal.

As an alternative to incarceration, policymakers should integrate restorative justice principles and practices into criminal justice reform. Formal partnerships should be developed between the criminal justice system and culturally competent organizations that are trained in restorative justice. Common Justice, an innovative restorative justice program in New York City, offers a framework for restorative justice policy or programs. They assert that such efforts must be **"survivor-centered, accountability-based, safety-driven, and racially equitable."**³³ Research shows that restorative justice models may be a cost-effective way to reduce recidivism and allow communities to heal in a meaningful way.³⁴

COMMON JUSTICE

New York City is beginning to integrate restorative justice principles into their practices through a partnership with Common Justice. The organization is the first alternative-to-incarceration and victim-service program in the country focused on violent felonies in adult courts. People charged with violent felonies may be diverted to Common Justice programs.

They use a restorative justice model with guiding principles to have "survivor centered," "accountability based," "safety driven," and "racially equitable" responses to violence. Participants who complete a 12-15-month violence intervention program and honor their commitments made in restorative justice circles avoid the incarceration they would have faced in the criminal legal process.



“We need to realize it takes process to bring people to the table who have been harmed and who have caused harmed to think about solutions that are not rooted in a punitive outcome. Restorative Justice starts at home. It is not an approach, a model, a program. We must create a world that is not modeled on punishment paradigm.”

– Richard Smith, Common Justice



OUTSTANDING CHALLENGE: COMMUNITY SUPERVISION

While we have made some progress in elevating criminal justice reform, other challenges persist. Participants discussed the need to focus on parole and probation as states reduce their prison populations, in favor of community supervision, due to fiscal pressures. There are currently an estimated 4.5 million adults who are not incarcerated but under correctional control through probation and parole.³⁵ These alternatives to incarceration ought to offer the opportunity for work, education, and workforce training. Yet individuals under probation and parole are often under strict conditions that make it difficult for them to successfully engage in these opportunities and reenter their communities.

As we reimagine the criminal justice system, we must also reimagine community supervision to help individuals successfully reenter their communities, rather than punish them for minor infractions. This includes ensuring individuals under community supervision have access to quality education and workforce training pathways, and substance abuse and health and mental health treatment. Burdensome fines and fees associated with community supervision must also be eliminated.



A JUSTICE ACTION AGENDA

WE NEED TO MOVE BEYOND SMALL REFORMS TO REIMAGINE THE ENTIRE SYSTEM.

A focus on economic justice is ultimately about shifting power to those impacted by the justice system as they have been historically excluded from accessing opportunity. While we work to reimagine the justice system, we must also be willing to engage within it to drive large-scale systems change. As we continue to make progress on traditional areas of criminal justice reform, such as closing prisons and sentencing and police reform, we must also begin to advance a positive, broader vision of justice.

A justice action agenda that is centered on economic justice requires us to:

- Repair, rebuild and invest in communities most impacted by the criminal justice system,
- Create education, employment and career pathways from incarceration to reentry, and
- Eliminate collateral consequences for people impacted by the criminal justice system.

We also offer bold actions for advocates and policymakers to advance now, inspired from convening participants.

“We can no longer just look at reform. Reform means just rearranging what is already there. We need to reimagine.”

– DeAnna Hoskins, JustLeadership USA



REPAIR, REBUILD AND INVEST

Low-income people, people of color and their communities have been the most devastated by the criminal justice system. We must do more than simply acknowledge the disparate impact and actively reverse decades of overcriminalization and divestment. CLASP's anti-incarceration and reinvestment framework outlines state and local investments that should be prioritized over incarceration in order to better support the needs of impacted communities.

Build large-scale employment and postsecondary pathways to good jobs and careers that reach people at risk of becoming involved in the justice system and those who are already involved.

- **Expand and scale alternatives to incarceration that take a restorative justice approach and connect individuals to education, employment, health and mental health supports.**

Redesign education strategies to keep young people engaged and reengage those who are out of school while also reforming school discipline policies and practices, which contribute to the pathway to prison.

Address mental health needs by seizing opportunities through the Affordable Care Act and Medicaid and incorporating peer support and trauma informed strategies.

Recognize points when individuals experience trauma in their communities. Provide peer support and other youth development programs to help them move through hardships with a strengths-based view.

Create new and expanded funding streams at local, state, and federal levels that can achieve the scale required to meet the need.

- **Ensure funds generated from decarceration, closing prisons, and/or cannabis revenue are adequately reinvested into communities most impacted by the criminal justice system. Funds should prioritize entrepreneurship, workforce training, education, and mental health and substance abuse treatment.**

Explore governance approaches at the local, state, and federal levels to create connections across sectors that meet the needs of individuals impacted by the justice system.

REPARATIONS NOW

Provide reparations to African Americans that rectify the historical damage inflicted through slavery. This can take a number of forms including direct payments to descendants of the enslaved, a jobs guarantee, student loan forgiveness, and more.

BUILD EDUCATION PATHWAYS FROM INCARCERATION TO REENTRY

Reimagining the justice system requires us to invest in the 6.7 million people currently under state control. Alongside movements to close prisons, improve prison conditions, and provide comprehensive healthcare to those who are incarcerated or on probation or parole, we also must ensure quality education and workforce training is accessible. To the extent possible, education and training should mirror the same quality as programs offered outside the correctional setting, including paying incarcerated individuals fair wages. Education and training programs should be done in partnership with state departments of corrections, education, and labor to ensure quality, coordination, and alignment with labor market needs.

Expand state investments into quality education and workforce training opportunities to all individuals who are incarcerated.

- States should collaborate across education, workforce, and criminal justice departments to ensure effective access, delivery, and continuity of education and training during and after incarceration.
- States should ensure education and workforce training opportunities provided during incarceration are a part of a career pathway. Programming should follow the federal career pathway definition³⁶ to ensure quality and connection to in demand jobs.
- Expand Registered Apprenticeships in correctional facilities that mirror standards for Registered Apprenticeships in non-correctional settings; including fair and graduated wage requirements.

Require fair wages be paid for all work being done in a correctional facility.

Redesign federal funding sources to support correctional education and training

- Lift the ban on incarcerated individuals from receiving federal financial aid to ensure access to postsecondary education.
- Establish funding floors in Titles I and II of the Workforce Innovation and Opportunity Act (WIOA) that must be directed to correctional facilities and reentry programs that serve individuals impacted by the justice system. Ensure programming is flexible and performance measures are tailored to the unique challenges individuals under correctional control face.

ELIMINATE COLLATERAL CONSEQUENCES

We must demand economic justice for individuals returning to their communities and remove barriers to economic mobility. This includes redesigning the probation and parole system to support individuals returning from incarceration to their community, rather than punish them, and making sure they can access quality education, employment, and public benefits.

Ensure education and workforce training provided during incarceration are connected to opportunities and in-demand jobs upon reentry.

- **Establish a national subsidized employment program or federal jobs guarantee that targets individuals impacted by the criminal justice system and pays a living wage.**

Eliminate barriers to employment and education.

- **End discrimination by public and private employers against workers with a criminal background by making individuals impacted by the criminal justice system a federally protected class.**
- **Ban the box on job, housing, and higher education applications.**
- **Lift state occupational licensing bans for individuals with a criminal record.**
- **Equitably expunge records after an individual has fulfilled their requirements by the justice system. Ensure expungement is accessible and that there are no financial or procedural barriers. Include automatic expungement for marijuana convictions in federal efforts to decriminalize or when states decriminalize marijuana.**

Provide access to public benefits and identification at the point of release from incarceration and ensure individuals can access public benefits upon returning to their communities.

ELIMINATE COLLATERAL CONSEQUENCES

Reform fines and fees


- Eliminate driver's license suspensions due to unpaid fines and fees, including child support and other non-driving related infractions. Scale an individual's ability to pay when assessing criminal justice-related fines and fees.

Increase federal funding opportunities for reentry services and workforce training for individuals impacted by the criminal justice system.

- Federal discretionary grants administered through the U.S. Departments of Education, Labor and Justice should be prioritized and funded to support best practices, spur innovation, and scale effective models in states and localities.
- Redesign current federally funded workforce training opportunities, such as WIOA, to target and better serve individuals and communities impacted by the criminal justice system.

Connect returning community members to health care services. Ensure they are provided with a sufficient supply of prescriptions they may have been taking while incarcerated until they are able to see a health care professional.

NATIONAL JOBS
PROGRAM

as well as 

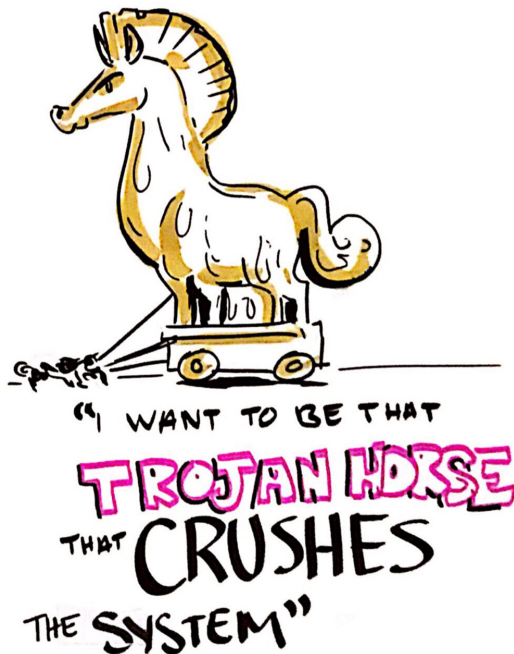
SENTENCE REFORM
SHORTER SENTENCES SO
THEY CAN GET THE **JOB**

CONCLUSION

Our criminal justice system is a modern vestige of slavery that unjustly targets people of color and those barred from economic opportunity. Effective advocacy led by individuals impacted by the criminal justice system has moved criminal justice reform into the mainstream. However, we must unite around shared values of humanity and economic security for all to reimagine an equitable justice system.

"The opposite of poverty is not wealth; the opposite of poverty is justice."

—Bryan Stevenson



We must work to create a society that prioritizes the vital lifelines that communities impacted by the justice system lack. Communities need large-scale investments in education and career paths to be prioritized alongside criminal justice reform efforts, including police and sentencing reform. It is critical to ensure all communities and neighborhoods are safe, that quality behavioral and mental health supports are accessible, and that effective education and workforce training pathways lead to jobs that pay a living wage.

We must also shift the core value of the justice system to be one of healing and restoration, not punishment. Communities most impacted by the criminal justice system must be provided opportunities to heal and rebuild. Those opportunities must be available to people who are currently under control of the criminal justice system and ensure that they can effectively reintegrate back into their communities to break the damaging cycle of incarceration.

The purpose of public policy must be to advance equity and remove economic barriers facing historically oppressed communities. To eliminate poverty in this country and realize racial equity, we must fight for the voices of those impacted by the criminal justice system to be heard and for them to thrive. **We must all fight for justice.**

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ENDNOTES

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