

NETWORK Virtual Lobby Day Talking Points - May 2021

EQUAL Act and Justice in Policing Act NETWORK Lobby for Catholic Social Justice

For NETWORK community only—not for public distribution

NETWORK's Build Anew Agenda

- Emerging from encounter with families and communities across the United States – NETWORK's **Build Anew Agenda** calls on Members of Congress and other elected officials to pass policies that dismantle systemic racism, eliminate the wealth and income gap, improve the wellbeing of our communities, and allow all people to thrive.
 - Think of stories from your own life or your community about people and families experiencing injustices and ways that our federal policies can better uphold human dignity OR
 - Watch site visits from the 2020 Nuns on the Bus tour: nunsonthebus2020.org
For sentencing and re-entry, watch site visits with **New Hour for Women and Children in New York and **Homeboy Industries** in California*
- NETWORK's Build Anew Agenda is based on four cornerstones, inspired by the principles of Catholic Social Justice:
 - Dismantle Systemic Racism
 - Root Our Economy in Solidarity
 - Cultivate Inclusive Community
 - Transform Our Politics

Our Criminal Legal System

- Starting in the 1980s and including the passage of the 1994 Crime Bill, U.S. federal policies have resulted in over-criminalization, mass incarceration, and police militarization.
- Harsh mandatory sentencing laws and a focus on punishment rather than rehabilitation has taken its toll on already vulnerable segments of the U.S. population, deepening the racial divide and creating a situation of structural poverty for many individuals, families, and communities.
- Extreme sentencing measures such as mandatory minimums and "three strikes" laws have led to the U.S. having the highest percentage of incarcerated people in the world.
 - As of 2018, the U.S. incarceration rate is 655 people in prison or jail for every 100,000 adults ages 18 and older. For the United Kingdom, that rate is 140 people, and Canada is 114 people out of every 100,000 adults 18 and older. (Source: [CNN.com](https://www.cnn.com))
- We cannot continue to tolerate racism in our criminal legal system or the loss of another generation to mass incarceration, or the perpetuation of poverty because of discrimination against formerly incarcerated people. We affirm that every person is made in the image of God and entitled to respect, support, forgiveness, dignity, and equal justice under law.

A note about language:

We point to the lack of "justice" currently in our system by using the term **criminal legal system** instead of criminal justice system. This better reflects how the legal system *fails to provide true accountability and justice* for Black and brown, undocumented, LGBTQ+, and low-income people, and in reality is often a source of harm for members of these communities.

(Source: thepraxisproject.org)

When referring to people who are involved with the criminal legal system, use language that recognizes humanity first like "**people who are incarcerated**" or "returning citizen" or "formerly incarcerated person" not terms that dehumanize such as "inmate," "felon," or "prisoner."

(Source: themarshallproject.org)

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SENTENCING REFORM: The EQUAL Act (H.R.1693/S.79)

- The Eliminating a Quantifiably Unjust Application of the Law (EQUAL) Act is bipartisan and bicameral legislation to eliminate the disparity in sentencing for crack and powder cocaine
- The 1986 Anti-Drug Abuse Act created a 100 to 1 disparity between the amount of crack cocaine that triggers a federal mandatory minimum sentence versus powder cocaine.
- The 2010 Fair Sentencing Act reduced the disparity to be 18 to 1 instead of 100 to 1, and the 2018 First Step Act made the reform retroactive, allowing people incarcerated for crack offenses to apply for resentencing under the new law. (Source: vox.com)
- From 1991 to 2001, nine times as many Black people as white people went to federal prison for crack offenses, even though drug use between Black and white people is roughly the same. Black people's sentences for crack were double that for white crack offenders in federal court during that period: 148 months compared to 84 months. (Sources: app.com and eji.org)
- Introduced in the Senate January 28, 2021 by Senators Cory Booker (D-NJ), Dick Durbin (D-IL)
- In the House, the EQUAL Act was introduced on March 9, 2021 by Reps. Hakeem Jeffries (D-NY-08), Bobby Scott (D-VA-03), Kelly Armstrong (R-ND-AL), and Don Bacon (R-NE-02)
- Currently 14 co-sponsors in House: 5 Democrats and 9 Republicans (*original co-sponsors)
 1. Rep. Bobby Scott (D-VA-03)*
 2. Rep. Hakeem Jeffries (D-NY-08)*
 3. Rep. Kelly Armstrong (R-ND-AL)*
 4. Rep. Don Bacon (R-NE-02)*
 5. Rep. Nancy Mace (R-SC-01)
 6. Rep. Steve Cohen (D-TN-09)
 7. Rep. Van Taylor (R-TX-03)
 8. Rep. Cathy McMorris Rodgers (R-WA-05)
 9. Rep. Thomas Massie (R-KY-04)
 10. Rep. David Trone (D-MD-06)
 11. Rep. Peter Meijer (R-MI-03)
 12. Rep. Ted Lieu (D-CA-33)
 13. Rep. Victoria Spartz (R-IN-05)
 14. Rep. Guy Reschenthaler (R-PA-14)
- The EQUAL Act:
 - Eliminates the disparity in sentencing for cocaine offenses
 - Applies to pending cases and provides for retroactivity, though it does not guarantee resentencing.
 - Repeals sections of the Controlled Substance Act and the Controlled Substance Import and Export Act

Ask for your Representative: Will you support the EQUAL Act (H.R.1693) by:

- Signing on as a co-sponsor (if they have not already)
- Inviting colleagues to become co-sponsors
- Voting for the bill when it comes up for vote

**Remember, you can always say "I'm not sure of that answer, but I will get back to you after this meeting."*

If you have any questions during Virtual Lobby Day:

Call: 202-347-9797 then press 1

Email: info@networklobby.org

Facebook Message: [@NETWORKLobby](https://www.facebook.com/NETWORKLobby)

Twitter D.M.: [@NETWORKLobby](https://twitter.com/NETWORKLobby)

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POLICING REFORM: The George Floyd Justice in Policing Act (H.R.1280)

- Passed the House on March 3, 2021. It first passed the House on June 25, 2020 during the 116th Congress, but the Senate has never voted on this bill in either Congress.
- Sponsored in the Senate by Senator Cory Booker (D-NJ) *was previously co-sponsored by then-Senator Kamala Harris*
- The legislation seeks to:
 - End racial and religious profiling
 - Ban chokeholds and other restrictive maneuvers
 - Ban no-knock warrants in federal drug cases
 - Reform qualified immunity for law enforcement
 - Establish national use of force standard for police departments
 - Mandate national police misconduct registry
 - Require use of dashboard and body cameras for federal officers
 - Require states and local jurisdictions to ensure body cameras
 - Limit the transfer of military equipment to state and local law enforcement
 - Invest in community policing programs
 - Establish independent prosecutors for police investigations
- Currently Democratic Senators are meeting with Senator Tim Scott (R-SC) to see if they can reach a compromise between the Justice in Policing Act and Senator Scott's JUSTICE Act, which NETWORK opposed because it failed to end qualified immunity and did not include explicit bans on dangerous practices like chokeholds or no-knock warrants.
- NETWORK calls for the Senate to consider and pass H.R.1280 the George Floyd Justice in Policing Act immediately.

Ask for your Senator(s): Will you support the George Floyd Justice in Policing Act (H.R.1280) and urge your fellow Senators to do the same?