



R E S E A R C H A N D A D V O C A C Y F O R R E F O R M



2012 Party Platforms On Criminal Justice Policy

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The *Washington Post* recently reported that the gulf between Republicans and Democrats has never been wider. On issue after issue, the two major political parties often disagree in substantial ways. But in the area of criminal justice policy, we have seen in recent years the potential for a bipartisan consensus. A plurality of American voters say that too many people are in prison, and an overwhelming majority -- including voters across political, generational, and racial lines -- want policies that would exchange prisons for more effective alternatives. After nearly four decades of unprecedented expansion, a number of states have reduced prison capacity, even closing prisons, in recent years, thanks to innovative public policy. These advances suggest real momentum for reform.

Though the United States remains the world's leader in incarceration -- with 2.2 million people currently in the nation's prisons or jails -- and maintains harsh penalties with intolerable racial disparities, the recently approved Democratic and Republican party platforms indicate ways to make progress on criminal justice reform while increasing public safety. In a number of areas, from reducing recidivism, to enhancing reentry program and drug treatment alternatives to incarceration, the two major parties have taken positions that offer hope for bipartisan reform. Though there is much more progress to be made, we welcome this opportunity to compare each party's position on criminal justice policy. We hope this memo is helpful for voters and policymakers alike as we forge a path to bipartisan criminal justice reform.

The party platforms can be found here:

[Democratic Party Platform.](#)

[Republican Party Platform.](#)

	<u>Democratic Party</u>	<u>Republican Party</u>
<u>Community Policing</u>	“Continu[e] to invest in proven community-based law enforcement programs such as the Community Oriented Policing Services [COPS] program.”	
<u>Death Penalty</u>	“Believe that the death penalty must not be arbitrary. DNA testing should be used in all appropriate circumstances, defendants should have effective assistance of counsel, and the administration of justice should be fair and impartial.”	“Courts should have the option of imposing the death penalty in capital murder cases.”
<u>Immigration</u>	“[P]rioritizing the deportation of criminals who endanger our communities over the deportation of immigrants who do not pose a threat.”	“[S]upport Republican legislation to give the Department of Homeland Security long-term detention authority to keep dangerous but undeportable aliens off our streets, expedite expulsion of criminal aliens, and make gang membership a deportable offense.”
<u>Juveniles</u>		“Government at all levels should work with faith-based institutions that have proven track records in diverting young and first time, non-violent offenders from criminal careers.” “[E]mphasis on restorative justice, to ... put the offender on the right path.” “Breaking the cycle of crime begins with the children of those who are prisoners...these youngsters should be a special concern of our schools, social services, and religious institutions.”

	<u>Democratic Party</u>	<u>Republican Party</u>
<u>Mandatory Minimum Sentences</u>		“[S]upport mandatory prison sentencing for gang crimes, violent or sexual offenses against children, repeat drug dealers, rape, robbery and murder ... [and] for all assaults involving serious injury to law enforcement officers.”
<u>Overcriminalization / Overfederalization</u>		“Federal criminal law should focus on acts by federal employees or acts committed on federal property – and leave the rest to the states. Then Congress should withdraw from federal departments and agencies the power to criminalize behavior.” “No one other than an elected representative should have the authority to define a criminal act and set criminal penalties ... Congress should reconsider the extent to which it has federalized offenses traditionally handled on the state or local level.”
<u>Parole</u>		“[O]ppose parole for dangerous or repeat felons.”
<u>Prison Conditions</u>		“Persons jailed for whatever cause should be protected against cruel or degrading treatment by other inmates.”

	<u>Democratic Party</u>	<u>Republican Party</u>
<u>Racial Disparities</u>	<p>“[C]ommitted to ending racial ... profiling and requiring federal, state, and local enforcement agencies to take steps to eliminate the practice.” “We understand the disproportionate effects of crime, violence, and incarceration on communities of color and are committed to working with those communities to find solutions. We will continue to fight inequalities in our criminal justice system.”</p> <p>“[E]nacted the Fair Sentencing Act, reducing racial disparities in sentencing for drug crimes.”</p>	
<u>Reentry into Community and Reducing Recidivism</u>	<p>“Will reduce recidivism in our neighborhoods ... [C]reated the Federal Interagency Reentry Council... [S]upport local prison-to-work programs and other initiatives to reduce recidivism.”</p>	<p>“Prisons should do more than punish; they should attempt to rehabilitate and institute proven prisoner reentry systems to reduce recidivism... [E]ndorse state and local initiatives that are trying new approaches, often called accountability courts.” “In some cases, the institution of family-friendly policies may curtail prison violence and reduce the rate of recidivism.”</p>

	<u>Democratic Party</u>	<u>Republican Party</u>
<u>Victims</u>	“[S]upport the rights of victims to be respected, heard, and compensated.”	“Criminals injured in the course of their crimes should not be able to seek monetary damages from their intended victims.” “[E]mphasis on restorative justice, to make the victim whole.” “[P]rotect the rights of crime victims, who should also be assured of access to social and legal services.”
<u>Violence Against Children</u>		“[S]upport a national registry for convicted child murderers.”
<u>Violence Against Women</u>	“[S]upport reauthorizing the bipartisan Violence Against Women Act and oppose the proposals ... that would undermine this law and deprive law enforcement of the tools its needs.”	
<u>“War on Drugs”</u>	“[H]elp state, local, territorial, and tribal law enforcement work together to combat and prevent drug crime and drug and alcohol abuse.” “[I]ncreased funding for the Byrne Justice Assistance Grant Program... [C]ontinue to expand the use of drug courts.”	“[E]ndorse state and local initiatives that are trying new approaches to curbing drug abuse and diverting first-time offenders to rehabilitation.”