

## 20 Questions for Delaware General Assembly Candidates

CANDIDATE NAME: DARIUS BROWN (D)

CANDIDATE DISTRICT: STATE SENATE DISTRICT 2

The Coalition for Smart Justice is committed to cutting the number of prisoners in Delaware in half and eliminating racial disparities in the criminal justice system. Elected officials are essential to achieving those goals. We have launched a campaign to communicate with voters about candidates' positions on issues related to criminal justice reform. This questionnaire is the focus of that effort. If you choose not to respond, we will indicate that in our public communications.

### Scale Questions

1. Delaware sends too many people to prison with sentences that are too long.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

2. Communities of color are over-policed and underserved.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

3. Prison time is an effective deterrent to crime. Longer sentences mean less crime.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

4. It is important to invest more state resources into diversion programs such as drug treatment and community supervision so that fewer people go to prison.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

5. It is important to invest more state resources into services that will assist people coming out of prison to find a job and be successful as they re-enter the community.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

6. When an especially egregious crime happens in Delaware, it is important to pass a law to make sentences harsher.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

7. The state should retain the power to seize people's assets under current civil asset forfeiture laws even though no crime has been proven.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

8. People of color are treated more harshly by the police and prosecutors than white people.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

9. Probation sentences are too long and there are too many obstacles to meeting the terms of probation.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

10. Delaware should reinstate the death penalty for murder.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

11. Delaware should reinstate the death penalty only for murder of a police officer, prison guard or other first responder.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

12. The state should establish a civilian oversight board that would review incidences such as serious police brutality or when a police officer kills someone while on duty.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

13. Bail reform is important so that a person's ability to access money does not determine who stays in prison awaiting trial and who goes home.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

14. Juveniles should not be tried as adults no matter what crime they are accused of.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

15. People with a felony record should be able to have that record expunged by a judge, even for serious crimes, after a period of 5-10 years has elapsed with no further criminal activity.

Strongly Agree  Agree  Neutral  Disagree  Strongly Disagree

## Open-Ended Questions

16. African Americans are 22 percent of Delaware's population and 51 percent of our prison population. What should the General Assembly do to reduce the racial disparities at various stages of our criminal process?

One first step that the General Assembly can support is the convening of an advisory committee of leaders from all components of the criminal justice system to have a clear definition of racial disparity in Delaware and design and implement strategies to reduce over-representation by focusing on the decision point at which disparities persist at the various stages of our criminal process. Racial disparity fosters public mistrust of the criminal justice system and this impedes our ability to promote public safety. Based on the point of demarcation established from this group, the committee can acknowledge the cumulative nature of racial disparities, encourage communication across players in all decision points of the system, understand that what works at one decision point may not work at others, and work together toward systemic change.

The General Assembly can also support efforts for Law Enforcement to engage the communities that they police, require cultural competency training, and create laws and practices that eliminate racial profiling. The General Assembly can ratify arraignment, release, adjudicatory, and sentencing laws as well as support probation and community-based alternatives to incarceration.

17. The average length of stay in prison in Delaware is 50 percent longer than the national average. Will you pledge to advocate for the elimination of all mandatory minimum sentences? Please give a yes or no answer and any explanation you think is necessary. If there are mandatory minimums you support, please identify them specifically.

Yes. Mandatory minimums are inflexible "one-size-fits all" sentencing laws that disrupt the balance of justice by forcing a judge to hand down a minimum prison sentence

based on the charges a prosecutor brings, taking away the authority from a judge to account for the actual circumstances of the crime and the characteristics of the individual defendant when imposing a sentence. They waste human potential, harm the 5 million children who have or have had a parent in prison; including one in nine black children, and wreak economic devastation on poor communities. Mandatory minimum sentencing laws have been misused by the DOJ because they are very frequently directed against low-level offenders. We need wider conversation about how we sentence all offenders, including violent offenders. We need to be smart, not just tough, on crime.

**18. Do you support legislation and appropriation of funds requiring the collection, analysis and publication of statistical data in order to track prosecutorial decisions, evaluate the effectiveness policies and assess racial bias in the criminal justice system? Please give a yes or no answer and any explanation you think is necessary.**

Yes. Data is the key component in conducting the proper research needed to create impactful laws that eliminate biases. Research should play a critical role in determining the degree to which racial bias exists in a particular jurisdiction. The evidence may point to a relatively low degree of bias in some jurisdictions, while other jurisdictions the need for studied approaches to reduce biases may be readily apparent. Additionally, the evidence may point to differing rates of biases at different stages of the criminal justice system. Without the data or the financial support to collect the data appropriate action will be taken based on assumptions.

**19. Other than gun control legislation. how can Delaware fight our gun violence problem? Are there specific proposals that you would offer as a member of the General Assembly to reduce gun violence in the state?**

Lack of opportunity increases risk of gun violence. Varying from educational, economic and employment opportunities, the lack of equitable access to such opportunities are immensely present in communities that are stifled by the continuous plague of gun violence. As a member of the General Assembly I will work tirelessly to improve access to a quality K-12 education and tangible skill training that can compute to sustainable employment and in all increase the quality of life detecting potential violent offenders.

**20. Do you support diversion for people accused of some violent crimes such as offensive touching and assault in the third degree?**

Although diversion programs may be cheaper or more effective than incarceration, crimes such as offensive touching and assault in the third degree are serious crimes and offenses that vary differently with every circumstance of the case. Because of the



lack of uniformity amongst these cases I believe it would be irresponsible to address each case with diversion. Just as mandatory minimum are not a panacea for crime neither is diversion. Each offense and the discipline there of should be judged on a case by cases basis.