

20 Questions for Delaware General Assembly Candidates

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CANDIDATE DISTRICT: STATE REP. DISTRICT 22

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

Statistics demonstrate that Delaware's incarceration rate is 12% higher than the US average. We need better data as to how the length of prison terms in Delaware compare with other states and how they impact recidivism.

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

Strongly Agree Agree Neutral Disagree Strongly Disagree

This answer is based on multiple opinions from numerous sources.

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

Strongly Agree Agree Neutral Disagree Strongly Disagree

I strongly disagree it is a deterrent to crime for those who suffer with mental health and addition issues or for those who get caught up in the something where they don't know they've done something criminally wrong. It is also not a deterrent for those who don't understand the complete life complications that a crime incurs. I believe it is somewhat of a deterrent to some people who would think twice before taking a shortcut for financial gain.

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

Diversion programs such as drug treatment, mental health treatment, job training and community service have been demonstrated in other states to reduce the prison population and save money overall.

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

This is demonstrated by Delaware's high recidivism rate. In addition to assistance with job training, it is important to look at what can be asked as part of job application information for certain crimes.

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

It's difficult to think of a scenario where this would make sense, but it is possible to have harsher sentences in some areas where newer technology allows more serious harm to more people.

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

Civil asset forfeiture has not provided the benefits of the original intent and should only be used in rare exceptional circumstances, agreed to by a stricter process that includes multiple approvals.

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

Strongly Agree Agree Neutral Disagree Strongly Disagree

I suspect this is the case, based on national statistics, but I believe we need to collect this data in Delaware before we can agree that it is the case and how much improvement is needed.

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

I believe the probation sentences for drugs should be reviewed to determine if it can be shortened and if there are factors to be able to reduce the timeframe.

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

These scenarios are rarely pre-meditated which suggests that it would not be a deterrent. Death penalty convictions are very expensive (median \$1.26 million). There are alternatives to prevent that person from ever committing a crime again.

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

Transparency is always good. Oversight should continue to include police as well as civilian oversight.

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

I believe in some cases it could be less than 5 years. There may still be a need for the record to remain for some crimes, for background checks for some particular jobs. This should be part of a package of reforms.

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?

- In general, reform needs to focus removing barriers to failure (failure potentially defined as prison time) and on rehabilitation. These steps have worked in other places
- Allow alternatives to prison, such as payment plans or community service, for people with fines for low-level offenses such as traffic tickets and misdemeanors
- Require a recidivism risk assessment be done on each prisoner, so a plan can be put in place to reduce that risk
- Use the attainment of work-training goals to reduce sentences for non-violent offenders
- Funding reentry pilot projects that include job training & faith based support following release
- Job training, prior to release
- After release, access to low cost housing and support groups
- Assessment of "check the box" requirements

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.

I believe judges should have the discretion to determine sentencing, instead of legislators, especially for low-level drug offenses. But for this to work, there also

needs to be reporting about how the sentencing is applied across individual scenarios and across groups.

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, definitely. I believe this is the most important thing we can do to better understand the relationship of recidivism to the original crime and sentence and to determine the effects of rehabilitation and job training efforts while in prison. Also, this will provide information on racial disparities on convictions and sentencing.

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?

My suggestions include:

- Additional funding for mental health within the schools
- School safety equipment funding
- Better enforcement of the firearms laws that already exist
- Capturing suicide, homicide and gun injury data to be able to feed to the Centers for Disease control or other appropriate agency

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

Yes, I believe that judges should have access to use these kinds of programs, and we should measure their effectiveness.