

OHIO CRIMINAL JUSTICE: POLICIES & PROGRAMS

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On January 17, 2018, our campaign introduced itself to Ohioans by presenting a comprehensive agenda of policies and programs to improve the operations of state government. We aim to institute reforms, re-prioritize resource allocation and service delivery procedures and mechanisms, and institute a governmental philosophy that makes the interests of the people of Ohio the primary focus of and the principal beneficiaries of government decision-making and action. Our pledge -- #PowertowethePeople – is more than a campaign slogan. It is a commitment.

One of the areas that we have committed to address is “Criminal Justice.” It is, however, much more than that, requiring systemic thinking which encompasses laws, enforcement, and adjudication to drug addiction, mental health, community health, education, and employment.

For a stronger, safer, healthier, more prosperous Ohio, we propose prison reform, drug policy and treatment reform, legal reform, criminal enforcement and community policing reform, and, a sweeping new, previously unused approach to stop the abuse of power by any elected or appointed public official or public officer, at any level of government, whose actions violate the laws or the Constitution of the state of Ohio.

Addressing Discrimination in the Administration of Justice

The criminal justice system, in Ohio as well as nationally, has a shameful record of disproportionately targeting, prosecuting, jailing, and otherwise discriminating against the African American and Latino communities. Arrest, conviction, and incarcerations statistics are clear and incontrovertible evidence of that fact.

For decades, a pattern of mass incarceration has devastated minority and low-income communities, creating instability, uncertainty, fear, and loss of hope. We must support and protect the constitutional rights of those caught up in the justice system, regardless of an individual’s social or economic status.

A system of “injustice” strips people of their freedoms based on color, class, or geography; it also institutionalizes the permanent, lifelong imposition of negative consequences that affect family stability, employment, civil rights, voting rights, and any semblance of “equal opportunity.”

One of the first steps the Governor can take in addressing this web of inter-related inequities relates to the prison system itself.

Ending the prison-industrial complex

We must break the prison-industrial complex.

We must stop the waste – and the inhumanity -- of spending hundreds of millions of tax dollars to warehouse low-level, non-violent offenders in public prisons and private for-profit prisons. We should be filling up our schools and employment centers, not our jails.

We will issue an executive order that no person convicted of any offense against the laws of the state of Ohio shall be remanded to any facility of incarceration which operates on a for-profit basis. We will end private for-profit prisons in our state.

Speedy release for low-level, non-violent marijuana offenses

Ohioans are spending millions of dollars a year to house low-level non-violent offenders, particularly those convicted of committing petty drug offenses such as the use of marijuana.

We commit that upon our election, we will immediately create a program to speedily review all non-violent, drug-related convictions on a case-by-case basis to determine where the governor's power of commutation is warranted.

An Emphasis on Rehabilitation

There will be a renewed emphasis on rehabilitation that provides non-violent offenders with reasonable and appropriate opportunities to rejoin society, to find jobs, and get an education. Those who have paid their debt to society should not have to continue to pay over and over.

We will also significantly increase investment in programs that help those in jail participate in job training and other educational programs to enhance their ability to successfully re-integrate into society.

To further assist with reintegration into society and the restoration of rights and liberties, we will take necessary steps to reinstate state voting rights immediately. We will ensure funding for education for facilitating post-release voting rights restoration.

Full Mental Health Care for Prisoners; Treatment for Addicts

We will make it mandatory that state prisons offer mental health, and, if appropriate, addiction treatment services for all inmates, regardless of offense.

At the local level, we will review the circumstances of those being held in county jails to ensure that they are not being used as warehouses for the mentally ill, homeless, or otherwise disadvantaged citizens. Jails are not appropriate places to hold nonviolent offenders with mental illness.

Restorative Justice

The success of re-entry into society is strongly related to the underlying reasons and realities that contributed to the behaviors and issues that led to incarceration in the first place: substance abuse, education, housing, employment, family stability, support systems.

It is imperative that the state ensure that post-release citizens, after serving their time, are not continuously penalized. Restorative justice will work to make sure that their rights – voting, driver’s license, employment, housing are protected and enforced.

Drug policy, enforcement, treatment

The opioid epidemic has hit the state of Ohio hard. The reasons are many, some societal, some physical, and some psychological. That notwithstanding, the state has an urgent obligation to address the problem from every perspective possible: the marketing and distribution by drug companies of addictive medications; the prescription and dispensing policies of medical professionals; and the treatment and rehabilitation policies, programs, and resources.

The Cleveland VA Hospital has developed an innovative protocol for dealing with the opioid epidemic, which emphasizes a multi-disciplinary approach to pain management. We can learn from this program and encourage others in the state to follow its lead, which facilitates collaboration between those working in pain management and primary care providers. At the same time, Ohio must fund broader, long-term treatment programs and demand that insurance companies do the same.

We will require that the State Medical Board, and the State Pharmacy Board, in consultation with national experts on pain management, cooperate to develop new monitoring and reporting protocols for the dispensing of all controlled substances and require continuing medical education on pain management.

Regardless of the nature of the addiction – opioids, opiates, heroin, cocaine, crack cocaine, methamphetamines, other controlled substances or alcohol – treatment and rehabilitation are absolutely essential, in hospitals and other appropriate medical facilities, not in jails and prisons.

We will encourage implementation of Drug Courts in municipalities where they do not exist, so that people with alcohol and drug problems, which often develop as a result of untreated mental health issues, may be diverted to appropriate medical and mental healthcare.

Medical Marijuana

Medical marijuana can be a significant part of the solution to the drug epidemic. First, we will absolutely protect this state’s right to dispense medical marijuana; and we will take every step necessary to monitor and regulate the program in the best interests of the citizens of Ohio.

Recreational Marijuana

We support the legalization through responsible regulation of recreational marijuana. We will lead the way towards decriminalization, legalization, licensing, and taxation of recreational marijuana to provide the hundreds of millions of dollars in increased revenues that will help pay for expanded health and mental health programs.

We will convene a bipartisan panel of community activists and experts to develop a plan to move toward responsible legalization and taxation of recreational marijuana in Ohio.

We will work with members of the state's Congressional delegation, to enact appropriate measures whenever medical or recreational use requires changes in federal policies or statutes.

Popular Resistance to Abuse of Power

There are provisions in the Ohio Revised Code that enable citizens to seek the removal of any elected or appointed public official or any public officer for abusing the power of their office or position (ORC 3.07 to 3.10) The bases for a petition of removal include flagrant exercise of authority or power, gross neglect of duty, malfeasance, misfeasance, and nonfeasance.

Executive Action to Curb Abuse of Power

If the person whose removal is being sought is a sheriff or prosecuting attorney of a county, the governor, by virtue of the office, can sign and file a complaint individually, without voter-signed petitions. The complaints of citizens and/or the complaint of the governor are filed with and heard by the county Court of Common Pleas.

These sections of the law can be a powerful restraint on public misconduct and an equally powerful enforcement mechanism to redress abuse of power by public officers, law enforcement personnel, and others acting in a public capacity. We will not hesitate to take such action if appropriate.

Recognizing and Rooting Out Institutional Racism

Wherever institutional racism and discrimination affects policing and law enforcement, it must be rooted out and stopped from further harming citizens and communities already confronted with other challenges and disadvantages.

We must acknowledge and address this matter directly and reform policies that enable and perpetuate discriminatory actions, enforcement, and prosecution.

De-emphasize Deadly Force; Emphasize De-escalation

We must reform our police departments; and establish a powerful community relations approach to law enforcement that de-emphasizes the use of extreme or deadly force and

emphasizes training in de-escalation, community relations, and recognition of mental health issues.

We must work with departments to build integrated de-escalation programs that will equip officers with the knowledge and experience they need to successfully minimize use-of-force. This means providing all front-line officers with Crisis Intervention Team (CIT) training.

Offenders with severe mental health issues should be sent to the hospital for psychiatric care. Comprehensive knowledge of de-escalation techniques specific to mental health crises saves lives on both sides.

Comprehensive knowledge of de-escalation techniques specific to mental health crises saves lives on both sides. The use of deadly force must be restricted to situations where a law enforcement officer's life is clearly and unambiguously in jeopardy. We must clearly define when lethal force is considered necessary and permissible and when less-lethal procedures should be used.

Community Policing: Better Trained, Better Paid Police

We must invest in community policing and support departments that innovate in building better relationships with their communities. Law enforcement personnel must not only be better training, they must also be better paid, given the serious, sometimes dangerous nature of their work. And, that training will be on-going, and it will include racial sensitivity training.

We must promote peaceful exchange and interaction between community groups and law enforcement. This is possible only when community leaders and police officers, including leaders within departments, participate fully in the process.

We will work with local police departments to increase the use of community policing methods that encourage police to patrol neighborhoods by foot to foster trust and integrate police as members of the communities they protect.

We will work with local police departments to ensure every officer is equipped with body cameras and dash cameras and data storage hardware/software is available to local police departments.

Valuing Police Work

Law enforcement officers who choose to pursue post-secondary education beyond what is covered under the forthcoming Kucinich-Samples College For All Plan shall be entitled to attend an additional 2 years of postsecondary education courses at no expense. Police and other first responders and nurses who attend a public college or university will be eligible to apply for tuition refunds

We will incentivize law enforcement and other first responders to live in the communities they serve. We will issue an executive order to direct the Ohio Department of Taxation to

refund, in full, any state income tax payment from full-time, publicly- employed first responders who live in the city/suburb/village/township in which they serve.

We will provide a state “stress reduction” benefit for law enforcement personnel of two weeks a year, which time shall include appropriate counseling on stress reduction, diet, nutrition and health as well as enhanced training must be made available free of charge.

We will establish a \$1 million “State Valor” insurance benefit for the families of any police officer, firefighter or EMS worker killed in the line of duty.

Sensible Gun Law Reform.

No one wants to take guns out of the hands of responsible law-abiding gun owners, but we need laws that protect the innocent and policemen and women from gun violence and establish laws that prohibit those with mental health issues that make them a danger to themselves or others from owning a gun. No one with weapons under disability charges, a conviction of a violent felony, or a mental health issue presenting a danger should have access to weapons. We will support the right of local communities to make laws regarding the protection of the health and safety of their citizens. For example, Cleveland attempted to ban assault weapons years ago and should have been supported, not opposed by the state.

State of Ohio Policy Regarding Law Enforcement

The conduct of each and every law enforcement official shall be subject to a transparent process of public review in the event of unnecessary aggression, brutality, or the possibility or suspicion of wrongful death.

We will work to demilitarize police. No military equipment or ordnance used by the U.S. Department of Defense shall be used for purposes of law enforcement or crowd control anywhere in the state of Ohio.

The Ohio Highway Patrol shall not be permitted to participate in any law enforcement action in the jurisdiction of any other state or territory.

The Ohio Highway Patrol shall not be permitted to participate in any law enforcement action that specifically targets a group of individuals based on race, creed, color or low income neighborhoods.

The Ohio Highway Patrol shall not be permitted to participate in any law enforcement action that specifically targets low income neighborhoods directly off interstates.

We will require the use of body cameras and dash cameras in all Ohio Highway Patrol law enforcement activities (to protect both the public and law enforcement personnel).

Local government funds provided by the State to various municipalities, villages and townships, will be provided contingent upon their police department's use of body cameras.

We will issue guidelines to local communities to:

Expand the use of violence-interrupting policies to reduce retaliation killings.

Ensure that homicide units, special victim units, and crime labs are fully funded and staffed with highly qualified detectives and necessary personnel.

Expand the use of testing in recruiting to identify applicants who might have a predisposition to use force unnecessarily or who exhibit biases or animus of any sort that might negatively affect their work, endanger fellow law enforcement personnel, or put members of the general public at risk.

We will continue Support of the Ohio Collaborative Community Police Advisory Board implemented under Governor Kasich.

We will support use of force training.

We will support Trauma Informed Services.

We will support the use of Peace Circles

We will support The Transformations Project

We will support and promote racial sensitivity classes for newly-hired officers and continuing education courses for seasoned officers.

We will work to reform our bail system so that the only people who are incarcerated while awaiting trial are those who pose a legitimate flight risk or a public safety threat -- not accused individuals who simply could not afford bail. Being poor or having limited financial resources should not be jailable offenses.

As Governor and Lt. Governor we will use the substantial powers of the office to identify and tap the public and private resources available to the State to yield positive results: experts in all relevant fields, elected officials and community leaders, law enforcement professionals, churches and other community-based organizations, career counselors and coaches, and interested, committed members of the general public. They will all have a seat at the table and will be asked to actively engage and act to ensure positive results.

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