CRIMINAL JUSTICE REFORM TOPIC: AFFIRMATIVE

Resolved: The United States federal government should enact substantial criminal justice reform in the United States in one or more of the following: forensic science, policing, sentencing.

A look at possible affirmative cases, provided by Rich Edwards, Baylor University
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Policing: George Floyd Justice In Policing Act

**Harm:** Policing methods are dehumanizing

**Inherency:** Feds have abandoned oversight

**Solvency:** Ban chokeholds & no-knock warrants; Abandon claims of qualified immunity for police abuse
Forensic Science: Independent crime labs

**Harm:** Pro-prosecution bias

**Inherency:** DOJ under Trump abandoned oversight

**Solvency:** Independence from law enforcement ensures truth-seeking
Forensic Science: Reform DNA Collection and Testing

**Harm:** Current methods discriminate

**Inherency:** Existing checks inadequate

**Solvency:** Increase independent oversight of collection and storage
Forensic Science: REFORM Of Rape Kit Testing

**Harm:** Huge backlog allows perpetrators to escape

**Inherency:** Standard 17 in Quality Assurance Standard (QAS) requires use of public labs

**Solvency:** Amend Rule 17 to allow testing by private DNA labs
Forensic Science: Reform Use of Facial Recognition

**Harm:** Undermine privacy and freedom of speech/assembly

**Inherency:** Feds fund and fail to regulate use

**Solvency:** Restrictions promote privacy and democracy
Policing: Ban Predictive Policing Methods

**Harm:** Predictive policing undermines racial justice

**Inherency:** Privacy laws carve out exceptions for law enforcement

**Solvency:** Banning predictive policing restores healthy police-community relations
Policing: Reform Jurisdiction In Indian Country

**Harm:** Criminal victimization by non-Indians is rampant

**Inherency:** Jurisdictional problems tie the hands of tribal police

**Solvency:** Tribal authorities should be given sovereign authority in Indian Country
Policing: Reform Military-Style Policing

**Harm:** Warrior mentality guarantees citizen mistreatment

**Inherency:** Feds provide free equipment through Program 1033

**Solvency:** End the 1033 Program: The Stop Militarizing Law Enforcement Act
Policing: Reform Policing Of Immigrants

**Harm:** Divides families & destroys communities

**Inherency:** Trump intimidates state & local police into enforcing immigration law

**Solvency:** End the criminalization of immigration
Policing: Reform Policing of Juveniles

**Harm:** SROs feed the school-to-prison pipeline

**Inherency:** Feds fund the hiring of SROs in schools

**Solvency:** Removing SROs will help end the school-to-prison pipeline
Policing: Reform Police Use Of Civil Asset Forfeiture

**Harm:** Civil Asset Forfeiture penalizes innocent persons

**Inherency:** Trump DOJ uses “equitable sharing” to evade state reforms

**Solvency:** Civil Asset Forfeiture should be banned
Policing: Surveillance In Muslim Communities

**Harm:** The federal CVE program violates privacy and freedom of religion.

**Inherency:** Trump’s anti-immigrant impulses promote fear and undermine the fight against terrorism.

**Solvency:** Abandon the CVE program.
Policing: Reform Policing Of Domestic Violence

**Harm:** Domestic violence is an epidemic in the U.S.

**Inherency:** Police cannot be held responsible for failure to enforce restraining orders (Castle Rock v. Gonzales, 2005)

**Solvency:** Require police to make a good-faith effort to enforce restraining orders: Overturn Castle Rock
Sentencing: Abolish The Death Penalty

**Harm:** Death penalty discriminates based on race

**Inherency:** Supreme Court continues to allow states and feds to maintain the death penalty

**Solvency:** Supreme Court should rule that the Death Penalty violates the 8th (Cruel & Unusual Punishment) and 14th Amendment (Due Process)
Harm: Drug offenses are a major driver of mass incarceration

Inherency: Even though states are liberalizing drug laws, the feds are not

Solvency: Drug offenses ought not result in imprisonment – use drug treatment or community corrections
Sentencing: Abolish Mandatory Minimum Sentences

**Harm**: Mass incarceration is significantly harmful

**Inherency**: First Step Act is only a first step; leaves most mandatory minimums in place

**Solvency**: Abolish mandatory minimum sentencing
Sentencing: Limit Plea Bargaining

**Harm:** Plea bargaining causes innocent people to plead guilty

**Inherency:** Prosecutors have too much power; no judge supervision

**Solvency:** Judges oversight of plea bargaining process solves
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