

RESOLUTION 25

CRIMINAL JUSTICE REFORM: A SYSTEM OF CORRECTIONS AND REHABILITATION THAT PRIORITIZES CORRECTIONS AND REHABILITATION

The AFL-CIO supports reform of the criminal justice system. At the same time, the AFL-CIO has always embodied, embraced and advocated tolerance, diversity and inclusion for all working men and women, including the hardworking men and women who are police officers, correctional officers and corrections personnel. These union members serve our communities and provide for their families. These union members deserve safe and fair working conditions and the protections that come along with their ability to form and join in unions. These union members are part of the fabric of our society and the broader labor movement. They deserve to work in a fair system of corrections and rehabilitation that prioritizes corrections and rehabilitation.

The United States has the highest incarceration rate in the industrialized world. Racial profiling and mandatory sentencing disproportionately harm people of color. From police stops to arrests, to charges pressed and conviction, our justice system treats people of color more harshly than whites.

Many of those incarcerated are in the system because of lack of access to quality schools due to underfunding of public schools, lack of access to health care—specifically for mental health and substance abuse treatment—and all of the negative impacts based upon lack of access to good-paying jobs. We know that education, health care and fair pay are the three fundamentals that reduce or prevent individuals from becoming a part of the criminal justice system.

“Prisons and jails have become America’s ‘new asylums.’” Many of these inmates would have been in hospitals prior to the deinstitutionalization movement of the 1960s, but now there are not enough hospital beds, and many mental health hospitals have been closed down. According to one report, the number of state psychiatric beds in the nation declined from a high of approximately 550,000 in 1960 to 40,000 in 2016. So extremely sick people are locked up, often for trivial offenses, frequently without treatment, as their illnesses worsen. Upon release, they are more likely than other prisoners to recidivate and be incarcerated again.

Drug offenders struggling with substance abuse or dependence need help, not jail. Offering treatment instead of incarceration enhances public safety by reducing drug-related crime and preserving jail and prison space for violent offenders. Rather than sending individuals to prison to learn more crimes that are dangerous, and not receive the appropriate treatment, we must address the root of the problem—substance abuse. Not only does treatment instead of incarceration make our communities safer, but the cost of probation and treatment is much less than the cost of incarceration.

We believe labor has a responsibility to help the formerly incarcerated reintegrate into the economy. The more than 600,000 people released from prison each year face huge hurdles to rebuild their lives and livelihoods. Various state and local policies prevent them from voting, obtaining student loans, and receiving public benefits and other services. They have few opportunities for advanced education, job training or good jobs. They desperately need labor protections and are eager to join unions.

THEREFORE, BE IT RESOLVED, that the AFL-CIO shall actively support criminal justice reforms based upon previously passed policy positions: community policing, sentencing reform, removal of employment obstacles for the formerly incarcerated, restrictions on for-profit prisons and voting rights restoration.

BE IT FURTHER RESOLVED, that:

- The AFL-CIO will continue to represent, defend the rights of and embrace all union members regardless of internal differences in political leanings, professions and uniforms.
- State federations and central labor councils urge policy makers to require police officers be properly trained in community policing and de-escalation tactics. Most research shows that our police force is no more racist than our population as a whole, while the consequences of their bias are more deadly. Local jurisdictions should participate in the Quality Policing Initiative, which promotes reciprocal, professional, accountable and cooperative policing, and addresses recruitment, training, community deployment, and accountability and advancement issues.
- The AFL-CIO and its affiliates will advocate for greatly expanded funding for behavioral and mental health as a more effective and humane alternative to incarceration.
- The AFL-CIO, state federations and central labor councils support efforts to reduce mandatory minimum sentencing laws, to support “ban the box” legislation and to restore the rights of the formerly incarcerated.
- The AFL-CIO, its affiliates and state federations promote federal, state and local legislation, policies and practices that end the for-profit pipeline of correctional facilities or services. Detention and imprisonment are “inherently governmental functions,” and contracting out these functions creates an incentive for private prison companies to push for mandatory minimums and harsh practices to ensure a large prison population. This makes damaging impacts on society and undermines the legitimacy of the law.
- Labor unions support efforts to alleviate prison overcrowding by advocating for adequate staffing for correctional institutions. Correctional officers have been working for many years under very difficult circumstances, including severe overcrowding of facilities, inadequate staff-inmate ratios, inadequate training and pay, and insufficient resources for rehabilitation. This makes their work dangerous. Reducing the inflow of prisoners would protect the safety of correctional officers and potential inmates.