

BEYOND CRIMINAL COURTS

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Common Questions About Criminal Court Reform

Criminal law, procedure, and the courts are tools of social control. They mostly harm Black, Indigenous, disabled, migrant, poor, trans, and queer people. They are fundamentally white supremacist, ableist, colonialist, and serve to uphold all forms of oppression. Criminal courts do not prevent or reduce violence, they create and exacerbate it. This is a central feature of criminal courts, not an aberration.

▶ We understand police and prisons can be violent institutions, but do we need to get rid of prosecutors and the courts, too? We are just not convinced abolition is feasible or wise and we have a few ideas on how criminal court processes and actors could be fixed or tweaked to ensure real justice for everyone.

▶ What if we made sure the court actors with power - like judges and prosecutors - were more diverse (in terms of race, gender, sexuality, etc)?

▶ Okay, but what if we passed procedural reforms to make criminal courts

fairer? For example, what if we passed stronger speedy trial and open discovery laws?

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What if we elected "progressive prosecutors" who would implement prosecutorial reforms, like policies to end money bail?

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What if there were more prosecutions of the real bad guys that typically get off easy, like police officers who hurt and kill people, white supremacists, tax evaders or people who commit white collar crime?

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What if we created more diversion programs where people can access the services they need, and more treatment options through drug courts and mental health courts?

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What if we transformed some criminal offenses into civil offenses so people were redirected to civil courts?

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What if the legal system gave out more fines or monetary penalties instead of incarceration as punishment?

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What if we only used criminal court to deal with serious and violent harm, like rape or murder?

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What if we gave more resources to public defense lawyers and beefed up their offices to reduce caseloads?

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What if the prosecuting office prosecuted fewer cases? What if sentences were shorter? What if we reduced funding for the prosecuting office?

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If we do away with criminal court, how will we enforce the law? Won't there be chaos?

Source: <https://beyondcourts.org/en/learn/faq>

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