FOR IMMEDIATE RELEASE

March 27, 2021

**RICHMOND COMMONWEALTH’S ATTORNEY’S OFFICE ESTABLISHES**

**COMMUNITY JUSTICE REFORM UNIT**

The Richmond Commonwealth’s Attorney’s Office has been a leader in the progressive criminal justice reform movement for over twenty years. Progressive criminal justice reform includes acknowledging historical racial inequities, addressing the root causes of criminal conduct, and supporting diversion programs and alternatives to incarceration where appropriate. Progressive criminal justice reforms must also acknowledge the harm caused to crime victims and implement policies that reduce their number in the future. These progressive and common-sense criminal justice reform policies include:

* Working with multiple stakeholders to create and support the **Richmond Adult Drug Court**, **Behavioral Health Dockets** for both adults and juveniles, and the **Mental Health Docket.** These specialized dockets help individuals address their underlying substance abuse or mental health issues, avoid incarceration and reduce recidivism;
* **Opposing the use of cash bail** so that most non-violent offenders can remain in the community while awaiting trial and maintain their employment, housing, educational and family responsibilities;
* Requiring **mandatory implicit bias training** for attorneys**;**
* Offering a “**Commonwealth’s General Continuance**” when the defendant has no prior record and/or where the crime is a non-violent misdemeanor. The case is continued and then dismissed once the offender has made restitution to the victim, completed community service, or completed a specific program to address the root cause of the criminal behavior. In 2020, this policy resulted in hundreds of cases being dismissed after individuals had complied with the agreed-upon conditions, thus allowing individuals to petition for expungement of that dismissed charge;
* Reducing the number of persons whose charge might result in their first felony conviction by **requiring supervisory level approval prior to an attorney’s decision to pursue a “first felony**” charge;
* Revising transfer and certification policies to **prevent the vast majority of juveniles from being treated as adults in Circuit Court** so that they can remain under the rehabilitative jurisdiction of the Juvenile and Domestic Relations Court;
* **Supporting the** **expungement of eligible charges** and allowing individuals to personally serve our Office with their expungement petition in lieu of having to pay a process server to do so;
* **Holding the police accountable for abuse of power or the use of excessive force**, including presenting charges against 14 officers in 2020;
* **Decriminalizing the failure to send children to school**, opting instead to work with the Richmond Public Schools to support a civil process that holds parents accountable while connecting them to community resources**;**
* **Working to dismantle “the school to prison pipeline”** by participating in the Juvenile Justice Collaborative and partnering with city agencies and the Richmond Police Department to reduce and divert the number of criminal cases stemming from behavior issues in our schools; and
* Emphasizing the use of **Restorative Justice** in the juvenile courts to encourage facilitated conversations between the harmed party, the person who caused the harm, and involved stakeholders, resulting in a mutually-agreed upon resolution with minimal court intervention.

In order to continue and expand the Office’s criminal justice reform policies and initiatives, I am pleased to announce the formation of the **Community Justice Reform Unit (CJR).** This unit will be led by Deputy Commonwealth’s Attorney Kelli Burnett, who was most recently the Deputy of the Richmond Juvenile and Domestic Relations Courthouse team. Kelli will report directly to me and use her 17 years of experience to ensure that this Office supports victims of crime, resolves cases in a manner that is equitable and proportional to the harm, and implements policies that contribute to the end of mass incarceration. Supervising Attorney Crystal Foster-Fitzgerald has been involved with community alternative dockets throughout the court system for the past 10 years. She will continue her operational responsibilities regarding diversion programs and alternatives to incarceration and ensure that all attorneys proactively utilize those programs at all levels of the court system.

The CJR Unit includes Iman Shabazz, our Community Engagement and Reform Initiative Advisor for the past five years and co-author of the “Beyond Containment” report. That report, and the two subsequent public Dialogue Sessions that flowed from the report, were designed to promote community-wide conversations; examine the systemically rooted causes of crime; and develop new strategies to achieve substantive and preventative criminal justice policies and practices in the city. The report can be accessed on the Commonwealth’s Attorney’s page on the City of Richmond website (rva.gov). Experienced paralegal Nesheta Baker will provide administrative and data-collection support and enable the Unit to provide quantifiable information to the public.

The mission of the Community Justice Reform Unit is to critically examine the use of prosecutorial discretion and promote practices that embody the principles of equity, justice, and public safety. As prosecutors, we have an ethical and moral duty to consider the rights, needs and interests of everyone touched by crime in the City of Richmond. That universe includes victims, those charged with crimes, and community members who are impacted by their conduct. All members of the community deserve to be treated with respect and dignity. In seeking justice, we must recognize the impact of incarceration; be trauma-informed in our case assessment; consider and address the root causes of crime; and provide opportunities for rehabilitation and repair. We will give careful consideration to the facts leading to prosecution and conviction, especially for those crimes that carry impactful collateral consequences and we will insist on conviction integrity.

The primary goals of CJR are to (1) provide evidence-based criminal justice reform policy recommendations to the Commonwealth’s Attorney’s Office; (2) implement office policies and practices that promote equity, justice and public safety; (3) improve and expand community-based diversion programs and alternatives to incarceration; (4) provide training to prosecutors on issues of criminal justice reform; and (5) expand our engagement with the community.

CJR will (1) implement and expand Restorative Justice practices in both the juvenile and adult courts; (2) increase opportunities to divert those who commit non-violent offenses away from the criminal justice system, especially those who struggle with mental health and substance abuse issues; (3) optimize the use of current alternative programming and specialized dockets; (4) utilize trauma-informed practices for cases involving emotional or physical violence and; (5) ensure fair discovery practices and compliance in case and trial preparation by our attorneys.

The Commonwealth’s Attorney’s Office is part of the Richmond community and needs the trust and support of the entire community to create and sustain innovative and progressive criminal justice reforms. We will be transparent about the work of the CJR and provide public accountability regarding our efforts on our website. We look forward to hearing from all members of the Richmond community as we work to dismantle institutionalized racism in the criminal justice system, protect our victims and most vulnerable community members, and implement policies that reform, restore and rehabilitate.