

PART 2: BREAKING DOWN THE BALLOT

There are many elected officials that work within the criminal justice system. Some of these officials are well-known roles like the President and members of Congress, but there are many other officials on ballots that have a significant impact on the direction of our system. However, knowing who you get to vote for and what each position does can be complicated. The duties of these positions can change from state to state, and certain positions, like judges, aren't on the ballot in every state.

Below, we lay out a few key positions to be aware of before you vote. We encourage you to do more research into the specific candidates in your district. You can look up your ballot and compare the candidates on a number of sites, including: www.vote411.org/ballot.

JUDGES

Judges preside over court proceedings and are in charge of the interpretation and application of the law. Their powers, functions, training, and methods of appointment differ by jurisdiction, the geographic area where they have legal authority.

Federal judges are appointed for life by the President, but almost all state court judges are elected. The length of judges' terms varies from state to state. **About 85% of criminal cases are decided in the state system**, which means these judges hold a lot of power. Judges are not always allowed leeway in their sentencing guidelines, but it is important to seek out a judge's general stance on criminal justice reform before heading to the polls. You can search judges online to get a sense of their judicial record, and even read some of their published opinions to get an idea of how they interpret and apply the law.

PROSECUTORS

Prosecutors, sometimes called State Attorneys or District Attorneys, are elected officials that prosecute criminal cases. Despite the enormous power and influence of prosecutors in the justice system, **84% of prosecutors run unopposed nationwide**.

In criminal cases, it is the prosecutor who decides to file criminal charges and the severity of those charges. They can also decide to instead route people into a diversion program to help them rebuild their lives, or to have charges dismissed. And, their power varies state by state. Prosecutors may have discretion to involve Immigrations and Customs Enforcement (ICE) in cases and set into action deportation proceedings; to direct people to mental health and substance use programs instead of prisons to prosecute police for officer-involved shootings; and to implement policies that end cash bail and curb pretrial detention.



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Under former New York City Mayor Rudy Giuliani's tenure — and his successor Michael Bloomberg, broken windows policing and stop and frisk policies

LED TO A DOCUMENTED RISE IN RACIAL PROFILING, THE DISPROPORTIONATE CRIMINALIZATION OF BLACK AND LATINO PEOPLE, AND LITTLE TO NO EVIDENCE OF CRIME REDUCTION.

In contrast, Newark Mayor Ras Baraka made justice reform a priority after his election in 2014, creating a street team of trained residents to minimize police interactions and de-escalate interpersonal conflict in the community and prevent violence.

See who is on your ballot at:
www.vote411.org/ballot

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SHERIFFS

Sheriffs are typically elected and preside over a county where they investigate crimes, oversee local jails, and manage the transportation of pretrial detainees. Local sheriffs have a presence in every state except Alaska, Hawaii, and Connecticut, which rely on state law enforcement agencies.

Prior training or experience in law enforcement is not always a requirement to be elected sheriff. Some candidates come to the position with backgrounds in business, real estate, or even academia. Depending on the county, sheriffs can control if people in jail are allowed to vote, if they coordinate with ICE, and much more. Many sheriffs can serve for long periods of time, often with few checks on their authority, since unlike police chiefs, sheriffs typically do not report to mayors or other elected officials.

MAYORS

Mayors are the elected heads of a city, town, or municipality. Typically, mayors appoint the chief of police in their city and have a say in police practices and the police department's budget. Mayors can also enact policies that have outsized impacts on the local criminal justice system, such as a stop and frisk policy which leads to a documented rise in racial profiling and the disproportionate criminalization of Black and Latino people. Or the Mayor could implement additional mental-health training for the city's officers and establish reconciliation sessions between community groups and police officers to rebuild trust.

LOCAL GOVERNMENT

Depending on where you live, there are different bodies of local government that have a hand in shaping your community's justice system. City councils — sometimes called town boards or board of supervisors — are one important body composed of elected council members from the community. City councils are responsible for proposing and passing bills, laws, and resolutions that help govern the city. Often, the mayor sits on the city council, but whether they have a vote on legislation that comes through the council varies across each town and city.

City councils can have the power to close jails, expand the use of alternatives to jail, and redirect resources to social services like mental health treatment, housing, and substance use programs.

GOVERNORS

Governors are the elected executive head of each state. Governors are responsible for implementing state laws and overseeing the state's executive branch. They often appoint a number of state officials and decision makers, like judges, agency heads, and parole board members.

Governors have the power to grant clemency in their states for people convicted of felonies who have received extreme or unfair sentences. Clemency can be granted a number of ways. Governors can choose to commute a person's sentence, which reduces the amount of time served but does not declare them innocent. Or, they can pardon someone by canceling a legal judgement and declaring a person not guilty. Governors can also issue executive orders that can steer a state's justice system toward reform.

To learn more about how to vote look at part 3