

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/vera-calls-on-president-elect-biden-to-prioritize-immigration-and-criminal-justice-policies-in-first-100-days>

Public Facing Advocacy Writing

The 2020 election was not just about selecting our next U.S. president. Justice was on the ballot, and a historic number of voters including influential [Black](#), Latinx, and [Native American](#) voting bloc turned out to demand change. As President-Elect Biden, Vice President-Elect Harris, and the incoming cabinet appointees ready their agendas for their first 100 days in office and beyond, voters will hold them accountable for delivering on campaign promises and addressing community needs across America especially in communities of color.

Vera's [justice platform](#) and those of other justice-oriented nonprofit organizations like the [Brennan Center for Justice](#) do just that. The Biden-Harris team has already identified several policy areas that align with these platforms, including improving oversight and accountability measures in policing, reducing the incarcerated population, and providing second chances for people with conviction histories. But there's more to be done.

President-Elect Biden and the federal government can begin to realize these systemic goals in the following ways:

1. Prioritize immigration reform.

More than [two-thirds](#) of voters support [immigration policies](#) that create a humane system that is fair to all. Biden has [promised](#) to both take immediate action to reverse anti-immigrant policies and actions put forth by the Trump administration like the Muslim ban and advance legal protections for immigrants and refugees. The incoming administration should deliver on these promises and act quickly and boldly for the real and systemic change immigrant communities need. Such action cannot ignore the impacts of decades of criminalization, mass detention, separation, and deportation of immigrant community members and families. The Biden administration should take immediate steps to decarcerate detention centers and end the costly and dangerous immigrant detention system, which places the lives and health of jailed immigrants in jeopardy especially amid the pandemic; expand access to legal representation for people at risk of deportation; end the criminal legal system-to-immigration pipeline; and de-politicize immigration system determinations.

2. End the predatory system of cash bail.

The current pay-for-freedom bail system in the United States criminalizes and [perpetuates poverty](#). Moreover, studies have linked [pretrial detention](#) to increases in crime and money bail to [increased public safety risks](#). Ending this practice will immediately improve the lives and financial well-being of BIPOC people and communities by reducing racially disparate impacts like economic hardships and decreasing the number of people incarcerated in local jails, who are disproportionately Black and brown. The Biden administration can champion legislation like the [Community First Pretrial Reform and Jail Decarceration Act](#) and the [No Money Bail Act of 2019](#) to provide federal incentives for states and localities to adopt alternatives to cash bail and reduce pretrial detention.

3. Secure educational opportunities for people in prison.

According to the [American Election Eve Poll](#) and [other surveys](#), voters of all races overwhelmingly support restoring access to Pell Grants for incarcerated students. Postsecondary education in prison has numerous proven benefits. People who participate in educational programs while incarcerated are [more likely to be employed](#) and earn higher wages on their release. They are also [less likely to return to incarcerated settings](#), having been given more tools to access the resources they need to successfully reintegrate in their communities. Educational programs also improve conditions of confinement for currently incarcerated people: correctional facilities that offer college programs in prisons report [less violence](#). Restoring Pell Grant eligibility will enable more incarcerated students in more facilities to reap these benefits.

4. Mandate better data collection on police, jails, and prisons.

The federal government does not require criminal justice agencies to collect and report important local [law enforcement data](#) including use-of-force and police misconduct data. More transparency is needed to end inhumane conditions behind bars and unjust police practices. The federal government can mandate better and more routine data collection. One place to start: federal leaders should enact the [COVID-19 in Corrections Data Transparency Act](#), which mandates data collection about COVID-19 behind bars including data disaggregated by demographic characteristics like race. Having this information will allow system actors to identify and address disparities among marginalized populations.

The Biden-Harris team has confirmed its commitment to building a more equitable and just society. Prioritizing immigration and criminal legal system reform is critical to improve the lives and livelihoods of all, and Americans support decisive action. The [demands of voters](#) who made their voices heard this election are clear. A justice-centered federal agenda should reflect these priorities.

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