

Reducing Mass Incarceration

In Texas, more than 195,000 people sleep behind bars in state and local facilities on any given night. Since the 1980s, the state's prison population grew by 500% and correctional costs more than tripled. In the nation with the highest incarceration rate in the world, Texas locks up the highest number of people. Long prison sentences have minimal impact on crime prevention, and our overreliance on incarceration is costly. Excessive sentences derail lives, deepen racial injustice, and separate families without evidence that they improve public safety.

1. Do you believe that Harris County and the State of Texas should reduce their current incarceration rates? If yes, please describe what specific policies you will pursue if elected to reduce the number of people incarcerated in prisons and jails.

Yes No *Explanation (optional):*

Robust Diversion Program:

I will establish and enhance a comprehensive diversion program that covers both misdemeanor and felony cases. This program will focus on redirecting individuals away from the traditional criminal justice system, providing them with alternative paths that prioritize rehabilitation and community support.

Revamping Probation Conditions:

I will initiate a thorough review and revamping of the conditions surrounding probation, deferred adjudications, and diversions. The emphasis will shift from excessive "busy work" to more meaningful activities, such as life skills training and apprenticeships in collaboration with labor unions. By providing practical skills and vocational training, we can empower individuals to reintegrate into society successfully.

Police Arrest Protocols:

I am committed to ensuring that police make arrests only after probable cause has been firmly established. This approach not only protects the rights of individuals but also contributes to a fairer and more just criminal justice system. By emphasizing the importance of proper procedures, we can work towards preventing unnecessary arrests and ensuring that law enforcement interventions are justified and in accordance with the law.

Through these changes, I aim to create a criminal justice system in Harris County that is not only focused on holding individuals accountable for their actions but also dedicated to breaking the cycle of recidivism by addressing the underlying issues that contribute to criminal behavior.

2. The Harris County District Attorney contributed to nearly 5,300 people being sent to state prison or state jail in 2022.¹ As District Attorney, will you commit to reducing this number by at least 20% annually?

Yes No *Explanation (optional):* While I cannot commit to a specific numerical reduction until I'm in the office & assess the situation, I am dedicated to addressing the

¹ Texas Department of Criminal Justice Statistical Report FY 2022. Prison and State Jail New Receives by County of Conviction, Page 29. Link: https://www.tdcj.texas.gov/documents/Statistical_Report_FY2022.pdf

underlying issues that contribute to high incarceration rates. As District Attorney, my focus will be on addressing case backlogs, fixing intake processes, and implementing reforms to ensure a more efficient and fair criminal justice system. By targeting resources toward violent offenders and establishing treatment centers for mental health & drug addiction, I aim to address root causes and provide alternatives to incarceration, with the ultimate goal of achieving a significant and meaningful reduction in the number of people sent to state prison or state jail.

3. Do you believe the District Attorney has a responsibility to help decrease current jail overcrowding and the associated transfer of people to other states? If yes, what policies should the District Attorney pursue to meet this responsibility?

Yes No *Explanation (optional):* Yes, the District Attorney has a responsibility to help decrease current jail overcrowding and prevent the associated transfer of people to other states. To fulfill this responsibility, I will pursue the following policies:

1. Improving the Intake Process: Implement reforms to improve and streamline the intake process, ensuring efficiency and accuracy to reduce the overall number of cases entering the criminal justice system.
2. Senior Prosecutors Review within 24 Hours: Establish a protocol where senior prosecutors review cases within 24 hours of arrest, facilitating quicker decision-making and reducing unnecessary delays in case processing.
3. Reducing Felonies to Misdemeanors: Advocate for the reclassification of certain non-violent felonies to misdemeanors, addressing cases with lower severity in a manner that is more proportionate and avoids unnecessary incarceration.
4. Waiving Jury Trials: Support the option to waive the state's right to a jury trial, allowing cases to proceed directly to a bench trial. This approach can expedite the legal process, significantly reducing the 2-3 year wait for defendants.
5. Expansion of Diversion Programs: Expand diversion programs to divert individuals away from incarceration and into rehabilitation and support services, particularly for cases with lower severity.
6. Bail Reform: Advocate for and support bail reform to ensure that pretrial detention decisions are based on risk assessment rather than the ability to pay bail, preventing unnecessary overcrowding in jails.
7. Community-Based Alternatives: Promote community-based alternatives to incarceration for non-violent offenders, offering rehabilitation and support services that address the root causes of criminal behavior.

4. Noting the “alarming” increase in Harris County’s jail population, the [Justice Management Institute](#) recommended in 2020 that the District Attorney dismiss nonviolent felony cases older than nine months, with exceptions like DWI, and direct justice system resources on adjudicating serious cases and newer cases. The jail population has grown

significantly since JMI issued its recommendation. Will you commit to implementing this recommendation from JMI?

Yes No *Explanation (optional):* I am committed to conducting a comprehensive review of all cases, including nonviolent felony cases, to address the alarming increase in Harris County's jail population. While I recognize the Justice Management Institute's recommendation to dismiss nonviolent felony cases older than nine months, I won't commit to a blanket dismissal of every nonviolent felony. However, with the implementation of other initiatives aimed at reducing the jail population significantly in a short period, there will be a substantial number of cases that, upon review, may be dismissed. My approach will prioritize the fair and efficient adjudication of serious cases and newer cases, aligning with the goal of a more effective and just criminal justice system.

Fighting Racism in the Criminal Legal System

Many aspects of our criminal legal system were designed during the Jim Crow-era to protect white supremacy. That legacy drives vast racial injustices. One out of every three Black boys are incarcerated in their lifetime, as is one in every six Latino boys — compared with one of every 17 white boys. In Texas, Black People make up 33 percent of the prison population, but only 13 percent of the state population.

5. Do you believe that the Harris County District Attorney's Office has a duty to fight racism in the criminal legal system? If yes, please describe what specific policies you will pursue to combat racism in the criminal legal system.

Yes No *Explanation (optional):*

Yes, the Harris County District Attorney's Office has a duty to actively combat racism in the criminal legal system. To address racial injustices, I will pursue the following specific policies:

1. **Implicit Bias Training:** Implement mandatory implicit bias training for all staff within the District Attorney's Office, including prosecutors and other personnel involved in decision-making processes.
2. **Racial Impact Assessments:** Conduct regular racial impact assessments of policies and practices within the office to identify and address any discriminatory outcomes, making adjustments as needed.
3. **Community Engagement:** Foster meaningful and ongoing engagement with the local community, particularly communities of color, to better understand their concerns, experiences, and needs within the criminal justice system.
4. **Prosecutorial Discretion Guidelines:** Establish clear guidelines for prosecutorial discretion that explicitly prohibit racial profiling and encourage prosecutors to consider the potential disparate impacts of their decisions on different racial and ethnic groups.
5. **Diversion and Rehabilitation Programs:** Expand diversion and rehabilitation programs specifically designed to address the underlying causes of criminal behavior, with a focus on addressing racial disparities in arrests and convictions.
6. **Data Transparency:** Increase transparency by regularly publishing and analyzing data on arrests, prosecutions, and sentences broken down by race, allowing for public scrutiny and accountability.

7. Equal Representation: Strive for diversity within the District Attorney's Office to ensure that its staff is reflective of the community it serves, recognizing the importance of diverse perspectives in decision-making processes.

6. Will you commit to tracking and working to eliminate racial disparities in decisions made by the Harris County District Attorney's office, such as disparities in charging decisions, bail recommendations, plea bargains, and sentencing recommendations? If you answered yes, please include any specific policies and practices you will implement to achieve this goal?

Yes No *Explanation (optional):*

Yes, I am committed to tracking and actively working to eliminate racial disparities in decisions made by the Harris County District Attorney's Office. To achieve this goal, I will implement the following policies and practices:

1. Data Collection and Analysis: Establish a comprehensive system for collecting and analyzing data on all stages of the criminal justice process, including charging decisions, bail recommendations, plea bargains, and sentencing recommendations.

2. Regular Racial Impact Assessments: Conduct regular racial impact assessments to identify and address any disparities in decision-making processes, with a commitment to adjusting policies and practices to eliminate inequities.

3. Implicit Bias Training: Provide ongoing implicit bias training for all staff within the District Attorney's Office to raise awareness of potential biases and equip personnel with tools to make fair and impartial decisions.

4. Community Oversight: Establish mechanisms for community oversight and input to ensure that the perspectives and concerns of the community, particularly communities of color, are actively considered in the decision-making process.

5. Prosecutorial Discretion Guidelines: Develop and publicize clear guidelines for prosecutorial discretion that explicitly address and prohibit racial bias, emphasizing the importance of fair and equitable treatment for all individuals.

6. Accountability Measures: Implement accountability measures within the office to hold prosecutors responsible for addressing and rectifying any identified racial disparities, fostering a culture of transparency and continuous improvement.

7. Regular Reporting: Regularly report the findings of data analyses, racial impact assessments, and progress in reducing racial disparities to the public, ensuring transparency and accountability.

7. Will you establish and follow an office policy to use respectful, accurate, person-centered language when talking about people involved with the criminal legal system, for example by refraining from using harmful and outdated language like "convict" "inmate" "felon" "prisoner" and "illegal immigrant"?

Yes No *Explanation (optional):*

8. In Harris County, Black people are arrested at 3.1 times the rate of white people for marijuana possession, despite research showing that Black people and white people use marijuana at roughly equal rates. Will you support legislation to legalize and regulate marijuana for adult-use, just like we do for alcohol?

Yes No *Explanation (optional):*

Criminalization of Poverty & Pretrial Justice

Local criminal justice systems disproportionately harm people living in poverty. Whether through the imposition of fines and fees as a condition to resolving cases, or through laws that effectively criminalize homelessness, local actors have imposed a poverty penalty on many people within our communities. Furthermore, Texas' continued use of unjust money bail policies contributes to mass incarceration and unfairly punishes people who don't have money by keeping them incarcerated simply because they cannot afford to pay bail. Wealth-based detention denies most people a fair chance at justice, disproportionately affecting Black people and other people of color. Secured money bail is no more effective than non-secured money bail at ensuring appearance in court.

9. Will you oppose legislation that deepens reliance on money bail by requiring more people to put up cash to get out of jail?

Yes No *Explanation (optional):* My stance on the use of money bail aligns with the ongoing changes reflected in the

O'Donnell et al. v. Harris County et al. lawsuit and the subsequent consent decree. I fully support the collaborative efforts to implement all aspects of the consent decree, as it signifies a commitment to fairness and addresses constitutional concerns related to bail practices for misdemeanor arrestees in Harris County.

Real bail reform, in my opinion, involves a comprehensive shift away from cash bail. I advocate for the elimination of cash bail to ensure a fair and just pre-trial system. The current system disproportionately impacts individuals who cannot afford bail, contributing to economic disparities within the criminal justice system. Moving away from cash bail is essential to promoting equal justice under the law, emphasizing public safety considerations while safeguarding the principles of fairness and constitutional rights for all individuals involved in the criminal justice process.

10. Will you support legislation prohibiting money bail for misdemeanors?

Yes No *Explanation (optional):*

11. Will you support legislation creating a presumption of pretrial release, except in cases where a judge finds that conditions of release are insufficient to ensure appearance in court or the safety of the community?

Yes No *Explanation (optional):* The appropriate role of bail in our criminal justice system should prioritize ensuring public safety and preventing flight risks while upholding the

presumption of innocence. Criminal defendants should be held pre-trial only under specific circumstances, namely when there is credible evidence suggesting they pose a future threat to the public or any member of the community, or if there is a justifiable reason to believe they are a flight risk. It is crucial to strike a balance that respects individual rights and minimizes the use of pre-trial detention unless there is a clear and compelling reason to do so.

12. Will you establish and communicate to judges a default recommendation of pretrial release unless there is a specific and extreme risk of either willful flight to avoid prosecution or of serious physical violence to a reasonably identifiable person or group?

Yes No *Explanation (optional):*

13. Will you make pretrial release, plea agreements, diversionary programs, and other favorable sentencing programs available to all defendants, regardless of ability to pay?

Yes No *Explanation (optional):*

14. Will you oppose incarceration based upon the failure to pay fines, fees, or court costs unless there is clear and convincing evidence the individual is able but willfully refusing to pay?

Yes No *Explanation (optional):*

Just Sentencing

Treat Kids Like Kids

Long-term outcomes for teenagers, young adults, families and communities are better when youth have as little contact with the criminal justice system as possible, or when their cases remain in juvenile court. Putting youth in adult prisons leads to more crime, higher prison costs, and increased violence.

15. Will you decline to seek to certify juveniles to be tried as adults?

Yes No *Explanation (optional):* My office will actively work to reduce the number of prosecutions stemming from school-based arrests by implementing the following measures:

1. Promoting Restorative Justice: Emphasizing restorative justice practices to resolve conflicts within the school system, fostering understanding and accountability without resorting to formal legal proceedings.
2. Implementing Diversion Programs: Establishing diversion programs tailored for youth offenders within the school setting, providing alternatives to traditional prosecution and focusing on rehabilitation and education.
3. Enhancing Collaboration with Schools: Strengthening partnerships with schools to address underlying issues contributing to student misconduct, such as bullying, mental health concerns,

or substance abuse, through joint efforts with counselors, teachers, and administrators.

4. Training for Law Enforcement: Providing specialized training for law enforcement officers working in schools to ensure a nuanced understanding of youth behavior, emphasizing de-escalation techniques, and promoting a supportive rather than punitive approach.

5. Reviewing School Policies: Collaborating with educational authorities to review and update school policies that may contribute to the unnecessary criminalization of student behavior, ensuring a more balanced and constructive response.

6. Moving Away from ISD Police on Campus: Evaluating the presence of ISD police on campus and considering alternative approaches to school security that prioritize a supportive and rehabilitative environment over a punitive one.

By implementing these comprehensive measures, my office aims to create a more supportive and rehabilitative environment for youth within the school system, ultimately reducing the need for formal legal interventions.

16. Will you support legislation increasing the age of criminal responsibility from 17 to 18 so that 17-year-olds are under the jurisdiction of the juvenile justice system, unless a court finds they should be sent to the adult system on a case-by-case basis?

Yes No *Explanation (optional):*

Do Not Seek the Death Penalty

There is mounting evidence that the death penalty is fraught with error, provides no additional public safety benefit over other available sentences, and is routinely used against individuals with diminished capacity, including persons with intellectual disabilities and severe mental illness, youth, and those who have experienced extreme childhood trauma.

17. Will you decline to pursue the death penalty against defendants?

Yes No *Explanation (optional):* Yes, as District Attorney, I will generally decline to pursue the death penalty against defendants. The decision to seek the death penalty will be reserved for the most heinous of circumstances, where the individual shows no potential for rehabilitation or correction, continues to demonstrate violent behavior putting themselves or others at risk, and does not have any significant IQ or mental health barriers. Recognizing the concerns regarding errors, lack of additional public safety benefits, and the disproportionate impact on vulnerable populations, my approach will prioritize alternative sentencing options that align with principles of justice, fairness, and humanity.

Supporting Vulnerable Texans

18. Will you publicly oppose efforts to further criminalize abortion care and interstate travel for abortion and other healthcare?

Yes No *Explanation (optional):* I recognize the legal landscape surrounding abortion and the potential consequences tied to it in terms of District Attorneys admitting it outright. While I personally agree that no woman or medical professional should face legal consequences for abortion, I understand the constraints of the existing laws in Texas. Instead, I would emphasize that the resources of the office will be primarily directed towards addressing violent crime and maintaining public safety, acknowledging the broader legal framework within which the office operates.

19. Will you oppose legislation that prohibits, restricts, or criminalizes gender-affirming medical care for transgender people?

Yes No *Explanation (optional):* Access to LGBTQ+ affirming healthcare services, including competent and inclusive medical care for transgender individuals. Addressing healthcare disparities, especially in mental health services, and ensuring that healthcare providers are culturally competent and sensitive to the needs of LGBTQ+ individuals.

20. Do you believe prosecutors are well-positioned to promote practices that can help those with intellectual and developmental disabilities minimize involvement with the criminal legal system? If so, what specific steps will you take to minimize individuals' involvement with the criminal legal system who have intellectual and developmental disabilities?

Yes No *Explanation (optional):* Yes, prosecutors are well-positioned to promote practices that can help individuals with intellectual and developmental disabilities minimize their involvement with the criminal legal system. To achieve this goal, I will take the following specific steps:

1. Training for Prosecutors: Provide specialized training for prosecutors on recognizing and understanding intellectual and developmental disabilities, ensuring they are equipped to handle cases involving individuals with these conditions with sensitivity and knowledge.

2. Diversion Programs: Advocate for and expand diversion programs tailored to individuals with intellectual and developmental disabilities, directing them toward appropriate support services rather than punitive measures.

3. Collaboration with Mental Health Professionals: Foster collaboration with mental health professionals to assess and address the unique needs of individuals with intellectual and developmental disabilities, ensuring that interventions are appropriate and supportive.

4. Community Outreach: Engage in community outreach to raise awareness about the challenges faced by individuals with intellectual and developmental disabilities and encourage reporting mechanisms that consider the specific needs of this population.

5. Advocate for Policy Changes: Work to advocate for policy changes that ensure fair treatment and accommodations for individuals with intellectual and developmental disabilities within the criminal justice system.

6. Ensuring Legal Representation: Advocate for the provision of legal representation that understands the unique challenges faced by individuals with intellectual and developmental disabilities, ensuring their rights are protected.

7. Review of Charging Decisions: Review charging decisions to ensure that individuals with intellectual and developmental disabilities are not unfairly targeted or disproportionately affected by criminal charges.

By taking these steps, my aim is to create a criminal justice system that is more responsive to the needs of individuals with intellectual and developmental disabilities, promoting fairness, compassion, and better outcomes for this vulnerable population.

21. A record number of people have died recently in the Harris County Jail. What actions will you take in your role as District Attorney to reduce jail deaths?

Yes No *Explanation (optional):* As District Attorney, I am committed to taking decisive actions to reduce jail deaths in collaboration with the Sheriff's office. Specific steps I will take include:

1. Collaboration with the Sheriff's Office: Work closely with the Sheriff's office to address and rectify the issues contributing to the record number of deaths in the Harris County Jail.
2. Address Backlog of Cases: Prioritize efforts to address case backlogs, ensuring that individuals are not unnecessarily held in jail for extended periods, awaiting resolution of their cases.
3. Fixing Intake Issues: Implement reforms to streamline and improve the intake process, reducing delays in case processing and minimizing the time individuals spend in pretrial detention.
4. Create Addiction and Mental Health Facilities: Advocate for and collaborate on the creation of specialized facilities for individuals struggling with addiction and mental health issues, providing appropriate treatment and support rather than incarceration.
5. Bail Reform: Support and advocate for bail reform to ensure that pretrial release decisions are based on risk assessment rather than the ability to pay bail, preventing unnecessary and prolonged periods of detention.
6. Expansion of Diversion Programs: Expand diversion programs that divert individuals away from the jail system and into rehabilitation and support services, particularly for non-violent offenses and cases involving mental health or substance abuse.
7. Crisis Intervention Training: Advocate for crisis intervention training for law enforcement officers to equip them with the skills to handle individuals in crisis situations, reducing the likelihood of confrontations that may lead to jail-related deaths.

By implementing these measures, I aim to address systemic issues, prioritize the well-being of individuals in custody, and work towards creating a criminal justice system that is more humane, just, and focused on rehabilitation rather than punitive measures.

22. Will your office support victim compensation for people who have experienced significant physical harm and families who have lost their loved ones in Harris County Jail?

Yes No *Explanation (optional):*

23. Will you commit to eliminating barriers to criminal record clearing in Harris County, including by: (a) providing expunction services through a Make It Right! annual expunction expo, (b) ensuring that individuals have access to expunction regardless of whether they have unrelated Class C warrants; and (c) eliminating any voluntary policies that require signatures from state agencies not party to the expunction case?

24. Yes No *Explanation (optional):*

Reduce Re-incarceration for Petty Probation Violations

Probation revocations are fueling mass incarceration in Texas. In part, this is because excessive community supervision increases the likelihood that people who are otherwise at low risk of being rearrested will end up incarcerated for petty technical violations, such as failing to pay fines or fees and other acts that do not threaten public safety. The majority of violations occur within the first year. Lengthy supervision serves little to no rehabilitative purpose.

25. As a general rule, will you request a 24 month (or less) limit to community supervision terms for felonies?

Yes No *Explanation (optional):*

26. As a general rule, will you request a 12 month (or less) limit to community supervision terms for misdemeanors?

Yes No *Explanation (optional):*

27. As a general rule, will you advocate against jail or prison sentences for non-criminal conduct, or "technical violations" of probation?

Yes No *Explanation (optional):*

Protect Immigrant Communities

Criminal charges, convictions, and pretrial detention can trigger deportation proceedings for people who are not U.S. citizens. These threats, as well as the targeting of immigrant communities by extremist politicians, can discourage the reporting of crimes, making communities less safe. Moreover, the U.S. Supreme Court in *Padilla v. Kentucky* suggested that when prosecutors consider immigration consequences, more just outcomes can be obtained for all parties.

28. Will you oppose policies that use or divert local law enforcement resources for federal immigration enforcement?

Yes No *Explanation (optional):* **The goal is to avoid negative immigration consequences for defendants whenever possible. Additionally, I will emphasize that individuals will be treated fairly and equally, regardless of their immigration status. I do not intend to inquire**

about or treat people differently based on their status, maintaining a stance that promotes impartiality and avoids unnecessary focus on immigration matters within the criminal justice system.

29. Will you train and direct prosecutors to consider the immigration consequences of a conviction during each stage of a case and to choose immigration-safe dispositions when possible and appropriate?

Yes No *Explanation (optional):* I will instruct my prosecutors to consistently communicate the office's openness to consider immigration circumstances when relevant. It is my commitment to ensure that defense counsel is informed of this policy in every case, encouraging them to ask the right questions of the defendant. The goal is to avoid negative immigration consequences for defendants whenever possible.

30. Will you oppose legislation that further criminalizes or harms immigrant communities?

Yes No *Explanation (optional):*

31. Recent anti-immigrant bills passed by the Texas Legislature are likely to increase noncitizens' reluctance to seek help from law enforcement. Will you work to build or maintain trust with immigrant communities in Harris County?

Yes No *Explanation (optional):*

32. Will you implement the [Harris County U visa Certification Model Policy](#), as approved by the Harris County Commissioners Court on October 13, 2021?

Yes No *Explanation (optional):*

Transparency and Accountability

33. Will you maintain and publish regular statistics disaggregated by race, ethnicity, and gender about prosecution, including the number of misdemeanor and felony cases filed each month, disposition statistics, pretrial incarceration rates and length of stay by offense category, and average bond for each class of offense?

Yes No *Explanation (optional):*

34. Will you maintain and publish data disaggregated by race and gender that allows the effectiveness of diversion programs to be assessed, including the number of individuals eligible for diversion, the number of cases referred to diversion, the reasons individuals failed to enroll in or complete diversion, and the percentage who completed or failed to complete?

Yes No *Explanation (optional):*

35. Will you commit to regular communication with community members and organizations, including regularly scheduled open sessions to listen to and then address concerns?

Yes No *Explanation (optional):* My office will commit to publishing a comprehensive data dashboard. This dashboard will include information on pretrial outcomes, prosecutions, sentences, charges, race, age, and gender. The commitment extends to maintaining the transparency of the criminal justice system. However, it will be structured to omit personal information on defendants, adhering to privacy standards.