



## **HNBA 2018 RESOLUTION IN SUPPORT OF CRIMINAL JUSTICE REFORM**

**WHEREAS**, the Hispanic National Bar Association (“HNBA”) is an association created to represent the interests of Hispanic legal professionals and the Hispanic community, acting as a collective voice for issues of common concern to its members; and

**WHEREAS**, the HNBA is the national voice of its legal community and Hispanics in the United States and its territories and possessions; and

**WHEREAS**, the United States is home to four percent of the world’s population, but twenty percent of the world’s prisoners and spends \$80 billion a year to sustain these incarceration rates; and

**WHEREAS**, the per capita rate of prison incarceration in the United States has increased four-fold since 1970; and

**WHEREAS**, research supports that Hispanics are among the minorities more likely to be convicted of an offense that requires a mandatory-minimum sentence that strips sentencing judges of their discretion at sentencing; and

**WHEREAS**, in recent years, both parties and both chambers of Congress have introduced comprehensive criminal-justice reform legislation that would ease some federal sentencing guidelines for drug-related crimes, and allow some current prisoners held on drug-related convictions to have their sentences reduced; and

**WHEREAS**, research suggests that among the major racial/ethnic groups, Latinos are most likely to be required to pay bail to gain release, and on average receive the highest bail amounts, and are the group least able to pay bail; and

**WHEREAS**, one of the fundamental and immediate needs of prisoners upon release is employment and education; and

**WHEREAS**, research supports that after a certain number of years a lower-level felony conviction no longer supports a credible likelihood of recidivism; and

**WHEREAS**, law enforcement's use of body cameras provides benefits to the judicial fact-finding function by virtue of their ability to provide documented evidence that lends greater accuracy and credibility to court and jury determinations in contexts ranging from suppression hearings to jury verdicts; and

**WHEREAS**, in 2017, five states had enacted laws that required at least some officers to use body-worn camera, and thirteen states and the District of Columbia had approved funding opportunities for state and local law enforcement to purchase body camera equipment,

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports any and all legislative and executive measures aimed at addressing prior sentencing disparities through revised statutory penalties, sentencing guidelines, and a reinvigorated use of clemency;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports law enforcement's use of body cameras in a manner that thoughtfully addresses privacy and fourth amendment issues, data storage and retention, open records laws and police training;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports the use of best-available technologies, including the use of GPS devices, as an alternative to pre-trial and post-trial incarceration;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports adequate funding for prisoner re-entry programs, including those support programs that provide a high school diploma, GED and training in computer science and tech fields;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports expungement of criminal records for lower-level felony offenses after a certain time period for which research demonstrates there is low chance of recidivism;

**NOW THEREFORE BE IT RESOLVED**, that the HNBA supports the end of solitary confinement, especially for youth;

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the HNBA authorizes its officers and staff to communicate the content of this resolution to other minority bar association members, members of the U.S. Congress, the press, and to whomever else suited to receive the information in order to affect this Resolution;

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of the HNBA until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

I, Erica V. Mason, National President of the Hispanic National Bar Association, hereby certify that the foregoing resolution was duly enacted by the Executive Committee pursuant to the authority delegated to it by a duly-noticed meeting of the Board of Governors.

Handwritten signature of Erica V. Mason in cursive script, followed by a horizontal line.

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Erica V. Mason,  
HNBA National President