



JENNIFER
CARROLL FOY
FOR GOVERNOR

Dear Virginians,

We know viscerally that justice in Virginia is not just, fair, or equitable. Today, I'm releasing policy to tackle criminal justice reform and police brutality, because until we make a change, we will continue to see Black and Brown folks hurt and harmed, and treated as much less than equal.

As a former magistrate judge and public defender, I've seen firsthand the two criminal justice systems Virginians face – one that works for the wealthy and well connected, and the other that works against Black people, poor people, and other marginalized communities. I once represented a woman who only confessed to a crime because of a mental illness that made her want to be agreeable. Another time, I represented a young boy, about to be branded a felon, who stole a jacket because he was cold. Our criminal justice system didn't work for them – and it doesn't work for countless others across our Commonwealth.

This past summer, Virginians, Americans, and the world took to the streets to protest against police brutality. And just this past weekend, a few miles away from where George Floyd was killed, Daunte Wright, a 20 year-old Black man, was shot and killed by a police officer. Here in Virginia, we saw a jarring video last week of officers assaulting Lt. Nazario during a traffic stop.

It's not just that we need more accountability in policing – we must fight to reform the entirety of our criminal justice system. I've been taking this fight on from the courthouse to the statehouse, and I'm ready to fight for criminal justice reform as Virginia's governor.

These issues were deeply important to me in the House of Delegates, because I've worked on them my whole life. As a Delegate, I was proud to lead legislation to reform the criminal justice system and fight back against police brutality, and I'm proud of the victories we had. My bill to ban chokeholds is now law, and I was proud to support legislation to better utilize mental health professionals and implement de-escalation techniques. I was also proud to repeal the Habitual Drunkard law, which unfairly punishes the homeless and those struggling with alcoholism, lead the charge to legalize marijuana, and reform the cash bail system that has contributed to mass incarceration and the cyclical patterns of joblessness and poverty within minority communities. I've worked to diversify our judiciary, end the school-to-prison pipeline, and create the first public defender's office in Prince William County.

But there is so much more to do. In a Jennifer Carroll Foy administration, I will sponsor legislation to end qualified immunity in Virginia so that families impacted by police brutality can seek justice. I will ensure that mental health professionals have a role as first responders so that Virginians with disabilities are receiving the care they need. I will fight to fully repeal mandatory

minimums so we can restore judicial autonomy in Virginia. I will use clemency tools to reduce mass incarceration in Virginia and more to reform our criminal justice system.

We have a lot of work to do to ensure that our criminal justice system in Virginia is just and fair. And we have a lot of work to do to end police brutality, and hold people accountable for their actions. As Governor, I will fight for an equitable justice system — for my sons and for all Virginians.

Sincerely,

Jennifer Carroll Foy

Here's the Problem

We know viscerally that justice in Virginia is not just, fair, or equitable. As a former magistrate judge and public defender, I've seen firsthand the two criminal justice systems Virginians face — one that works for the wealthy and well-connected and the other that works against Black people, poor people, and other marginalized communities.

During the summer of 2020, Virginians, Americans, and the world took to the streets to protest against police brutality. And this year, a few miles away from where George Floyd was killed, Daunte Wright, a 20-year-old Black man, was shot and killed by a police officer. Here in Virginia, we saw a jarring video last week of officers assaulting Lt. Nazario during a traffic stop.

As Governor, I'll also fight to end police brutality. The hurt and the harm done to communities like mine, has to end. That's done through prevention, but also by holding bad actors accountable. We've had instances of police brutality happen in here Virginia, and politicians of the past have refused to even ask for an independent investigation. It's far past time to take this issue seriously, so our families aren't threatened and even killed when they're living their lives.

My Plans as Governor:

I will work tirelessly as Governor to ensure that our criminal justice system in Virginia is just and fair, and I will work just as hard to end police brutality and hold bad actors accountable. I will fight for an equitable justice system — for my sons and for all Virginians.

As Governor, I will:

1. Continue to address police misconduct and accountability by ending qualified immunity, which widely shields law enforcement officers from civil suits.
2. Ensure that mental health professionals have a role as first responders and that officers use the de-escalation techniques they are trained to use so that everyone is treated the way we should be treated.
3. Guarantee that every case of a police-involved killing is subject to an independent investigation and work with the Attorney General's office to ensure there are proper resources and staff needed to enforce this executive order.
4. Build on marijuana legalization to ensure the inclusion of minority-owned businesses and sellers in the cannabis industry, full collective bargaining rights for employees, and that reinvestments are made in communities most harmed by cannabis prohibition.
5. Restore judicial autonomy and authority by instituting the full repeal of mandatory minimum sentencing laws. Move the responsibilities of the Department of Juvenile Justice to the Secretary of Health & Human Services in order to prioritize youth rehabilitation.
6. Reduce statutory restrictions on specialty dockets (i.e. Drug Courts, Mental Health, and Veterans dockets) and ensure greater funding for treatment services, including trauma-informed counseling.

My Record & Experience:

I began fighting for a fairer and more equitable legal system as a magistrate judicial officer and later as a public defender. I have dedicated years to representing clients who could not advocate for themselves or afford representation, ensuring fairness in eviction proceedings and criminal hearings involving the poor, the mentally disabled, and the youth.

As a Delegate, I:

- Passed legislation to prohibit law-enforcement officers from using neck restraints, such as chokeholds, in the performance of their official duties and supported efforts to ban the use of no-knock search warrants.
- Co-sponsored legislation that was passed into law to establish the Marcus Alert System, which provides a mental health response with an informed law enforcement element to those experiencing a mental or behavioral health crisis.
- Co-sponsored legislation that was passed into law requiring law-enforcement officers to undergo training on de-escalation techniques, the lawful use of force, and implicit biases, including against people with mental illness, developmental, or intellectual disabilities.
- Sponsored legislation to raise the grand larceny threshold from one of the lowest in the country and to conduct a statewide review of parole-eligible inmates in the Commonwealth.
- Carried a bill to reform the cash bail system. Research contends that “46 percent of the people in local jails aren’t there because they were convicted of any crime.” Pretrial detention disproportionately impacts people of color, placing many at risk of losing their jobs, homes, and families.
- Passed legislation repealing the Habitual Drunkard law, which unfairly punishes the homeless and those struggling with alcoholism.
- Passed legislation to create the first public defender's office in Prince William County,¹ the second largest county in Virginia, to ensure high quality representation for those who cannot afford an attorney.
- Created the “Diversifying the Bench” initiative to recruit, train, and mentor minority judge candidates so residents face qualified and thoughtful legal minds of various backgrounds. This effort led to six new judicial appointments in Northern Virginia in 2020, including the first Latino judge in Prince William County and the first Black Judge in Loudoun County.²

¹ [“HB 366: Public defender offices.” Virginia’s Legislative Information System. Last Modified 03/12/20.](#)

² [Gianna Jirak, “First Latino judge appointed in Prince William County as part of state-lead courts diversification effort.” Potomac Local. 03/18/20.](#)