

# OUR BROKEN SYSTEM

## EXPLAINED

### CAST OF CHARACTERS



POLICE



JUDGES



PROSECUTORS



PUBLIC DEFENDERS



POLICYMAKERS

The most basic metric for what counts as an effective police force is

## ARRESTS



The promotion of **POLICE** – because they arrest more people than their peers – is so prevalent, one state recently passed a law to stop it, because the practice does not make communities safer.

Worse, the vast majority of arrests in the US are for



### LOW-LEVEL OFFENSES.

One researcher found that 80 percent of arrests in the U.S. are for a misdemeanor. The burden of being arrested in the US falls disproportionately on Black people, and the life impacts can be devastating.

In most places in the U.S., arrested people are detained in a jail and given a

## CASH BOND



For those too poor to pay cash to a bail bonding company, usually

**10 PERCENT OF THE TOTAL BOND SET**

their only recourse is to wait in jail until their case is resolved, or a judge lowers their bond.



In most states, if a detained person cannot afford a lawyer, they are provided a **PUBLIC DEFENDER** after proving they cannot afford a private lawyer. When they are appointed a public defender, they join a caseload that often numbers in the hundreds.

Arrested people who cannot afford bail must wait in

## JAIL



pending resolution of their case.

**CONDITIONS OF CONFINEMENT** in America's prisons and jails are notoriously dangerous.



Some states allow conditions of confinement that subject people in county jails and state prisons to deadly violence, whether from other incarcerated people or guards, along with medical neglect.

Some states outsource prisons and jails to private, **FOR-PROFIT COMPANIES**. In others, medical care is outsourced to private entities whose primary concern is to earn profits, not provide medical care.

**PROSECUTORS** use these conditions – poor representation, cruelty, and neglect – to induce as many arrested people as possible into accepting a

## PLEA BARGAIN



People unable to afford their **CASH BOND** can wait months in jail before their case is resolved, putting enormous pressure – job loss, repossession, eviction, and loss of custody – to accept a plea simply to get out of jail.

In the United States, we call this “due process” and “a speedy trial.”



On any given day, **500,000+** people in America are sitting in jail, awaiting trial.

If they are represented by a **PUBLIC DEFENDER**, they are often neglected, not regularly communicated with, and left to decide whether to accept a plea bargain offered by the **PROSECUTOR**.

Prosecutors, on average, receive roughly three times more funding than public defenders in the U.S.

## SENTENCING



Fewer than **5 PERCENT OF CRIMINAL CASES** in America go to trial.



Often, a plea bargain includes a **SENTENCE** that, although only a proposal for the **JUDGE**, is almost always followed.



In many places, **POLICYMAKERS** have enacted “tough on crime” laws that place **MANDATORY MINIMUM** sentences for certain crimes. These sentences exhibit racial biases and can punish even **LOW LEVEL OFFENSES** with exorbitant penalties.

Most crimes – either through a plea bargain or a conviction at trial – receive a sentence of

## PROBATION



In 2020, there were



**NEARLY FOUR MILLION PEOPLE** in America on probation.

People on **PROBATION** lose many freedoms, including their **FOURTH AMENDMENT** rights to be free from searches without a warrant, and can be violated – rearrested and sent to prison or jail – for minor infractions such as a dirty urine or even for failing to provide a new address when they move.

Many jurisdictions have also outsourced their probation systems to **FOR-PROFIT COMPANIES**, who charge offenders money for service and place onerous obstacles in the way of meeting the terms of probation.

A sentence of

## PRISON



is used more in the United States than in any other country in the world.

On any given day in America, there are almost



**1.2 MILLION PEOPLE** convicted of a crime in prison.

**PRISON** sentences can range from more than a year to life without parole. People in prison are not only stripped of their freedom, they can be forced to work for no or low wages, and are subject to dehumanizing and demeaning treatment by guards, all in the name of “security.”

And every step of the way, government agents' actions are legally protected by

## QUALIFIED IMMUNITY



Qualified immunity and other legal precedents like “deliberate indifference” have created an almost insurmountable defense for agents of the government who abuse, neglect, and even kill people.

They allow this entire **CAST OF CHARACTERS** to violate the constitution, yet avoid responsibility for clearly illegal behavior. These protections are the umbrella insurance policy whenever someone tries to hold any part of this broken system accountable.

The term “qualified immunity” does not appear anywhere in the Constitution, and there is no federal statute outlining it.



In fact, the principle only arose in the late 20th Century, entirely created by **JUDGES** through legal precedent.

# THIS IS NOT A FAIR FIGHT

## HELP US BALANCE THE SCALES OF JUSTICE

At every level of this broken system, we're working to tip the scales of justice. Through crowdfunding, we make it a fair fight by providing lawyers to defend people and their constitutional rights to:

- challenge unlawful **ARREST**
- sue for **POLICE** brutality
- reduce or eliminate **CASH BOND**
- improve the conditions of people in **JAIL** and **PRISON**
- provide defense against **PROSECUTORS** squeezing clients for **PLEA BARGAINS**
- challenge **JUDGES** and **POLICYMAKERS** to rethink harmful **SENTENCES**
- end the influence of **FOR-PROFIT COMPANIES** feasting on these conditions

Otherwise, without lawyers, insurance companies will continue to protect illegal behavior by this **CAST OF CHARACTERS** through **QUALIFIED IMMUNITY**, defending the indefensible.