



TOOLKIT

REFORM/TRANSFORM TEXAS

ENSURING COMMUNITIES HAVE THE FREEDOM TO THRIVE

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LOCALPROGRESS
TEXAS

Introduction

Local Progress (LP) is a movement of local elected officials advancing a racial and economic justice agenda through all levels of local government. We build power with underrepresented communities, share bold ideas and policy among our network, and fight to reshape what is possible in our localities all across the country. Founded in 2012, LP has built a powerful network of local leaders – mayors, district attorneys, county commissioners, city councilmembers, and school board members – representing major cities, growing suburbs, and rural communities.

As our network grows to reflect the multi-racial democracy we're fighting for, we're proud to be a member-led organization. We organize and build the infrastructure in Texas to impact policy and governance outcomes. **Local Progress Texas (LPTX)** is a certified chapter of Local Progress – you can learn more about our state work [here](#).

There are four key elements that anchor our strategy as a network: (1) a firmly rooted commitment to racial justice, (2) a belief in the power of collaborative governance to create transformational change, (3) the knowledge that the change that happens in our communities has the potential to change our country, and (4) an understanding that our power and impact is greatest when we are organized. These four pillars were central to the creation of this toolkit.

About the Toolkit

This toolkit explores alternatives to our current policing and prison system, while emphasizing the need to undo the harm caused by that very system. It is intended to offer policy ideas that can be tailored to a specific jurisdiction and the particular needs of that community. This is not a fix-all to solving this crisis in Texas, but our hope is that it offers a variety of policies and resources to reduce harm and work through foreseeable challenges. The policy platform you'll find below is a reflection of the Local Progress network's shared commitment to challenging a system that chooses incarceration over the health and wellbeing of its people. This also follows the commitment from our national network and framework that helped to develop our extensive [Reform/Transform toolkit](#). We recommend you spend some time looking over these resources as well as those listed below.

The policies and recommendations in this toolkit were first produced through a collaborative six-month process in 2020 (you can find the original toolkit [here](#)). This has been updated, and below you will find our 2023 version.

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Ending Mass Incarceration

Texas is a state that relies heavily on incarceration and policing – in 2020, [over 500,000 people](#) were arrested in Texas. Many await trial in jail and/or end up with a record that prohibits them from accessing safe, affordable housing and work. [Prisons do not make us safer](#); our communities are safer when everyone has access to a fair wage, healthcare, education, and safe shelter. We commit to challenging the harm inflicted by this system and will work together to create systems of community safety that focus on care.

Mass incarceration is a racial justice issue

This crisis of mass incarceration goes beyond Texas -- in fact, [one in five people in the United States](#) has a criminal record of some kind. People involved in the criminal justice system – disproportionately immigrants, Black people, and people of color – have faced decades of targeted criminalization and incarceration.

The prison system was not created as a place of rehabilitation, and it can never replace the vital services that we all need – shelter, food, and income. However, Texas starves programs that provide these services and chooses to instead funnel money into policing and prisons.

Governments at all levels must work together to prioritize systems of care over incarceration. | [Spend Your Values, Cut Your Losses](#)

Mass incarceration is a direct cause of economic inequality and housing insecurity.

When people apply for jobs and are required to disclose past criminal history, more often than not, employers use this as a means of denying employment - subsequently depriving millions of adults with previous arrests or convictions of the opportunity to earn a living. | [Ban-the-Box, Fair Chance Fact Sheet](#)

Not only do people exiting the criminal legal system face difficulty finding a job, but they also face significant challenges as they seek to find safe and affordable housing. Those challenges include both the threat of eviction or foreclosure due to loss or lack of income and severe punitive policies that prevent tenants from applying if they have any criminal background. | [An Affordable Home on Reentry](#)

Criminalization does not make us safer.

The presence of armed officers and security devices in schools actually make students feel less safe. In fact, interacting with police officers and arrests produces harmful, lasting psychological effects on youth, in addition to hurting their academic performance. | [Dismantling the School-to-Prison Pipeline](#)

Transforming the Criminal Legal System and Building Systems Rooted in Community Safety

Policy recommendations to move our communities toward a new vision of safety centered in public health and community resiliency.

Policy recommendations focused on harm-reduction

- **Assess your police department's use-of-force policies and crowd control tactics. Put limits on the types of tactics police officers can use and incorporate strict accountability and reporting standards.**
 - ◆ Example of cities with strong City Manager structures: [Austin passed a resolution](#) directing the City Manager to implement specific policing policies.
 - ◆ Local Progress' policing toolkit: [See metric on use of force here to analyze your policies.](#)
- **Assess whether your locality participates in the federal funding program to purchase militarized weapons.**
 - ◆ [See what equipment your local agency received](#) from the Department of Defense through the 1033 program.
 - ◆ Review grants that your local police department or sheriff is currently receiving from the Department of Justice, the Department of Homeland Security, the Department of Defense, and other federal sources.
 - ◆ Local Progress' policing toolkit: [See metric on demilitarization here to analyze your policies.](#)
 - ◆ Further reading: Center for Popular Democracy's report, "[Feeding the Beast: A scope of federal funding for state and local law enforcement.](#)"

Policy recommendations focused on decriminalization

- **Implement a [cite and release](#) policy that reduces the number of people who are cited or jailed for certain offenses.**
 - ◆ Cite and release policies can be a tool to eliminate racial disparities if they also remove officers' ability to use their own discretion. Otherwise, Black and Brown community members could continue to be arrested at higher rates despite a city implementing a cite and release policy. See [Austin's Freedom City policies.](#)
 - ◆ Arrests for citable offenses also put immigrant communities at risk of deportation. See [Dignity for Dallas'](#) campaign one-pager that lays out the relationship between arrests and deportation.
 - ◆ Example: San Marcos passed a [cite and release ordinance](#) to ensure all citation-eligible offenses are treated as so.
- **Ensure no one is jailed for their inability to pay fines and fees related to tickets and/or court costs.**

- ◆ Your local court system may participate in programs that place driver's license holds or issue warrants for nonpayment of court fines. Local leaders can work with their court systems to eliminate these programs and avoid unnecessary driver's license suspensions and arrests.
 - ◆ Further reading: Brennan Center for Justice's report, "[The Steep Cost of Criminal Justice Fines and Fees](#)"
 - ◆ [The Fines and Fees Justice Center](#) also offers policies and practices to advance fine and fee reform for cities and counties.
- **Create diversion programs that focus on care and resources, and that keep people out of the criminal justice system.**
- ◆ Local Progress' policing toolkit: [See metric on pre-booking diversion here to analyze your policies.](#) Example: Seattle-King County's [Law Enforcement Assisted Diversion](#) (LEAD) works with law enforcement to channel people into community-based interventions at the point of arrest or pre-arrest.
 - ◆ The [Texas state legislature passed a bill in 2017](#) directing criminal courts to divert individuals with mental-health or intellectual disabilities away from sentencing and jailing and instead to appropriate services or treatment. Local leaders can hold court systems accountable by asking for reports on how this program is being used and how many individuals have been diverted.
 - ◆ See also diversion programs to prevent the criminalization of homelessness below.
- **Transfer law enforcement roles to other or new departments.**
- ◆ The [Texas Legislature has banned large cities and counties](#) from reducing their law enforcement budgets, making it more challenging to fund these types of programs. Building robust, fully-funded programs will require some collaboration across departments and creative funding sources.
 - For example, [Austin's EMCOT Program](#) (Expanded Mobile Crisis Outreach Team), which was originally funded through a Medicaid waiver, is a program housed through Integral Care, the mental health authority for Travis County. This program allows for trained professionals to answer and respond to mental health-related 911 calls. EMCOT connects people to treatment appropriate for psychiatric crises, diverting them from emergency rooms and jails. These programs lessen interactions with police and reduce the likelihood that these individuals are arrested or cited.
 - See Local Progress' Creating a Community Responder Program toolkit [here](#).
- **Prevent the prosecution and criminalization of out-of-state abortion providers and pregnant people seeking abortion care from criminalization or civil penalties by authorities in your state.**

- ◆ Limit the use of local government resources to cooperate with and support any investigations seeking to criminalize or penalize abortion providers or those seeking abortions. See a template resolution [here](#).
- **Focus on the public health aspects, not criminalization, of the opioid crisis.**
 - ◆ Local governments can train staff, provide additional resources, and increase access to lifesaving prevention methods like Narcan.
 - See Travis County’s resolution [here](#).

Use a community-centered approach to assessing public safety measures and accountability

- **Create independent oversight boards that effectively monitor police and investigate cases of misconduct.**
 - ◆ The strongest oversight boards are independent of the police department, have access to information and evidence, possess subpoena power, receive adequate funding, and most importantly, have disciplinary authority.
 - ◆ Example: Dallas [Community Police Oversight Board](#) is an independent department with full-time staff who review use-of-force cases, conduct their own investigations, make policy suggestions, and have regular contact with the public.
 - ◆ Local Progress’ policing toolkit: [See metric on independent oversight here to analyze your policies.](#)

Regularly communicate and seek input from constituents, organizers, and allies.

- Use [Local Progress’ messaging guide](#) to help clarify and inform conversations around reimagining public safety.

Dismantling the School-to-Prison Pipeline

Directives to advocate for fully funded public education to keep our students and school employees safe and healthy. These recommendations focus on alternatives to police in schools.

Implement a plan to prevent gun violence in schools that fosters safe and nurturing schools and addresses instances of violence at its earliest stages.

- **A robust gun violence prevention plan should bring in the participation of other local governmental jurisdictions as well as parents, teachers, staff, and students across the district.**
 - ◆ See recommendations from [Everytown's](#) "How to Stop Shootings and Gun Violence in Schools."

Advocate for the use of additional federal and state funding for supportive work environments

- **Local leaders can play a role in advocating for alternative use of funding through the "COPS Program" — a component of the 1994 Crime Bill that has since brought billions of federal dollars to police departments, including subsidizing the placement of police officers in public schools.**
 - ◆ [Recent guidance from the Biden Administration](#) expanded the permissible uses of COPS grants to include community violence intervention (albeit still under the auspices of police departments).
- **As state officials continue to push for more police in schools as a way to address school safety issues, local leaders can work together to push back against the false narrative that police in schools increase safety.**
 - ◆ Resources: See Center for Popular Democracy's "[Arrested Learning](#)" research and direct experience from students
 - ◆ Further reading: "[Police Don't Keep Students Safe, Even During School Shootings](#)"

Divest local school budget dollars earmarked for law enforcement and invest in wrap-around services

- **Wrap-around services include mental health supports, social workers, school counselors, and teacher aids.**
- **Work with local advocacy groups and students to understand the demands and needs of your local school system.**
 - ◆ You can view a [template resolution](#) for school boards to begin the process of divest-invest.

Restore and strengthen the civil rights of students on school campuses

→ **Example:** the Austin Community College Board passed a resolution in 2020 [defining the rights of students](#) on campus when it comes to search and seizure.

Eliminate harsh and discriminatory discipline policies and end the use of out-of-school suspension and expulsion

→ **Example:** Dallas Independent School District [amended its code-of-conduct](#) to reduce discretionary suspensions for its youngest students.

◆ Further reading: Texas Appleseed's report "[The Cost of Exclusionary Discipline in Dallas ISD](#)"

Creating Avenues for Fair Housing and Work

Policy recommendations to create avenues for formerly incarcerated individuals and those with a conviction or eviction history.

Ensure everyone has access to decent and safe housing

- Explore [local fair chance housing policies](#) that can assure formerly incarcerated individuals can access housing.

Explore homeless and eviction intervention programs

- Create a local, comprehensive [eviction intervention program](#) to keep people housed through unforeseen crises, in addition to homeless prevention programs.
- Experiment with emergency rental assistance programs with little to no barriers to access the funds.
 - ◆ Example: COVID-19 created a housing and economic crisis for so many. Federal stimulus programs were limiting and created challenges in getting assistance into everyone's hands. Despite the barriers, Austin created the [RISE program](#) providing direct cash assistance to all, no matter your work or immigration status.
- Local leaders should explore diversion programs to ensure interactions with law enforcement agents do not result in arrest or citations.
 - ◆ In 2021, the Texas legislature passed HB 1925 creating a statewide camping ban with criminal enforcement. Local leaders should explore diversion programs to ensure interactions with law enforcement agents do not result in arrest or citations.
 - For background, see more in this [memo](#) from Local Solutions Support Center (LSSC).
- Further reading:
 - ◆ More from LSSC [here](#) about how states are using abusive preemption to criminalize homelessness.
 - ◆ "[Make Them Pay](#)" and break the cycle of evictions by regulating corporate landlords.
 - ◆ [Creating an Equitable Relocation for Residents](#) explores local solutions to ensure relocation doesn't result in housing insecurity.
 - ◆ Being houseless is not a crime. Educate your constituents with these [talking points](#) that explain the homelessness-jail cycle.

Explore different housing models to create homeownership opportunities that can eliminate discrimination against people with past criminal records

- Housing options like shared equity programs offer opportunities for community control of land and pathways to homeownership no matter eviction or conviction records.

- ◆ Shared equity models, like Community Land Trusts, are examples of affordability models that could offer communities most impacted by incarceration the opportunity to purchase their own home and gain equity.
 - Example: [Houston's Community Land Trust](#) is an independent non-profit formed in 2018 that has two programs and works in partnership with the City of Houston and its land trust to protect affordability for Houstonians
- ◆ Further reading: Grounded Solutions Network [resource library](#) for more examples of shared equity solutions.

Open up access to jobs for formerly incarcerated

→ **Explore local fair chance hiring policies to ensure everyone has a fair chance at employment.**

- ◆ The National Employment Law Project's [extensive toolkit](#) offers fact sheets, model policy, and other approaches.
- ◆ Example: In 2016, [San Antonio passed a ban-the-box law](#) to ensure people with a prior conviction history are considered for their qualifications and are not dismissed for prior indiscretions.
- ◆ Example: The Dallas County Court system offers qualifying individuals a chance to complete a union apprenticeship in lieu of traditional probation through a partnership with a local non-profit. [See more info here.](#)

Dismantling the Arrest-to-Deportation Pipeline

Policy recommendations that prioritize protections for immigrant communities.

Challenge the arrest-to-deportation pipeline

- **After Senate Bill 4 passed in Texas in 2017, local leaders faced challenges in protecting immigrant families from targeted surveillance and arrests that often lead to deportations.**
 - ◆ The Immigrant Legal Resource Center created a comprehensive toolkit with policy recommendations for county and city officials that don't interfere with SB4. See [Moving Texas Forward after SB4 - Local Policies Towards Inclusive Justice](#).
 - ◆ Example: Austin passed the [Freedom Cities Policies](#), aimed to reduce certain arrests and reaffirm the constitutional rights of immigrant families.
 - ◆ Further reading: how [local elected Sheriffs](#) and [District Attorneys](#) can play a role in ending the arrest-to-deportation pipeline.
 - ◆ Further reading: [287\(g\) in Texas](#) and disentangling local law enforcement from ICE.
 - [Harris County](#) example: in 2017, Harris County Sheriff Ed Gonzalez terminated their 287(g) agreement. [This report from ILRC](#) offers reflections and materials from the Harris County campaign.

Create and support local deportation defense funds

- **Example:** Harris County approved a [\\$2M deportation defense fund](#) to help expand legal services for those that face deportation.
 - ◆ In 2022, Bexar County approved a [\\$1M migrant legal defense fund](#).

Address barriers to accessing government issued ID cards

- **Many local governments have implemented an [Enhanced Library Card](#) program through their local library system.**
 - ◆ This offers an ID card to communities traditionally barred from obtaining a government-issued ID – something that is needed to access many vital services.
 - ◆ The program is [gaining momentum](#) in Texas – San Marcos, Harris County, Austin, Dallas, and San Antonio have all implemented it.

Prioritize the needs of immigrant communities

- **Dedicate staff to identify resources and needs of families.**
 - ◆ Example: [El Paso County created](#) a department of Immigrant Affairs with staffed positions.
- **Local governments can enact local language access policies that require public agencies and service providers to provide interpretation and translation services.**
 - ◆ Further reading: [ensuring language access](#) for all residents.

Acknowledgements

This toolkit is a result of an ongoing process to align local elected officials and community partners around a shared strategy to deliver local legislation that seeks to create new systems of public safety that are not rooted in criminalization and incarceration, while addressing the root causes of instability and structural violence. The below organizations contributed their skills, expertise, and research to help us build this toolkit:

Workers Defense Project (WDP)	ACLU of Texas
Texas Organizing Project (TOP)	Texas Freedom Network & Texas Rising
Center for Popular Democracy (CPD)	Grounded Solutions Network
Immigrant Legal Resource Center (ILRC)	Every Texan
Local Solutions Support Center (LSSC)	MOVE Texas
Action Center on Race and the Economy (ACRE)	Texas Fair Defense Project
Texas Appleseed	