



# ERNEST SANDERS JR.

Circuit Judge, District 6, Division 5

Prior to launching Ernest Sanders Law Firm, PLLC, Sanders worked as a Deputy Prosecuting Attorney, Division Chief over the Youth Crimes Division, Hearing Examiner with the Arkansas Post Prison Transfer (Parole) Board, and Circuit Judge in Pulaski and Perry Counties.

## How do you define justice?

I define justice as fairness and impartiality in a legal proceeding. A party might not obtain the RESULT sought, but if the process was fair, then justice was served.

## Can you explain your judicial philosophy in plain English?

As a trial judge, I am there to apply the law as written to the facts of the case and to make sure the process is fair to all parties involved. This includes making sure the rules of evidence and procedure are being followed by everyone. A trial judge is like a referee or umpire in a sporting event ensuring that rules are being followed and applied fairly.

**What are the biggest changes you think we need to make to the criminal justice system?**

One change should be in the parole system for those inmates with "non-discretionary" charges. The Board still has the ability to deny parole to an inmate who otherwise qualifies for release by using the "prescribed course of conduct" language. Another change would be expanding the pool from which potential jurors are selected to include both registered voters AND licensed drivers. Doing this would provide a better "sampling" of jurors.

**What role should money/cash bail play in pretrial release?**

I agree with Ark Rule of Criminal Procedure 9.2 which states that "The judicial officer shall set money bail only after he determines that no other conditions will reasonably ensure the appearance of the defendant in court."

**To what extent do you believe that a judge should or should not defer to the actions of a legislature?**

As a circuit trial judge, my duty is to follow the law as written unless there is an action challenging the law as unconstitutional. Then, it becomes my duty to render a decision on the constitutionality of law. Neither scenario involves deferring to the legislature.

**Do you believe that policies criminalizing drug use in Arkansas have been effective or ineffective?**

In some instances, it has been effective as can be seen from some of the positive life stories shared by former drug users who credit their "turn around" to such an event. And in most other instances, such policies have been ineffective.

What factors do you believe are driving the growing prison population and the overrepresentation of people of color and poor Arkansans? What role do judges play in addressing these disparities?

[ THIS FIELD WAS LEFT BLANK ON THE FORM ]

In what ways will you work to promote public transparency within your courtroom?

Arkansas courtrooms are open to the public except under certain circumstances such as cases involving juveniles. In all other instances, my courtroom will always be open to the public with the continued public access to all public documentation.

How would you make determinations on fines/fees in your courtroom?

I will make these determinations on a case by case basis depending on the facts and circumstances of each case.

Arkansans are facing crushing amounts of court debt, how would you address fines & fees in your jurisdiction?

See previous answer.

Would you support eliminating the \$10 monthly automation fee? Why or why not?

Yes, because I believe this contributes to the issue of debtor prisons and the disparity between the rich and the poor.