



December 19, 2018

Key Vote YES the First Step Act, S. 756

On behalf of our activist community, I urge you to contact your representative and ask him or her to vote YES on the First Step Act, S. 756. The legislation would reform our federal prison system to ensure that inmates have the programming they need to return to society as law-abiding citizens and would also tailor some of the most egregious sentencing laws to refocus limited resources on the most dangerous offenders.

In May 2018, the House already passed the bulk of this legislation -- the prison reform portion of the bill -- as the FIRST STEP Act, H.R. 5682, by an overwhelming vote of 360-59. Only two Republicans voted against the measure, and the 57 Democrats who voted against it did so largely because they wanted the bill to include sentencing reforms.

Today, the bill is modestly more broad overall, including sentencing reforms that have allowed it to reach the same broad bipartisan support in the Senate as it already achieved in the House. This final version of the bill passed the Senate on Tuesday by an overwhelming vote of 87 to 12. We fully expect the vote on this bill in the House to look similar to the vote on H.R. 5692, if not even better.

The final product presented now in the First Step Act is the result of seven months of continuous and in-depth negotiations between stakeholders on all sides of the issue of criminal justice reform, including members of the House and Senate, law enforcement, federal prosecutors, faith leaders, and policy groups across the country. It is also a larger product of years of congressional debate, hearings, and markups of various parts of the final product.

The main portion of the First Step Act focuses on reducing recidivism by ensuring that those incarcerated, 95 percent of whom will be released at some point, have the tools they need to not re-offend and instead become productive, tax-paying citizens. The legislation does this by implementing evidence-based recidivism reduction programming based off of an individual risk and needs assessment of each prisoner and incentivizing successful inmate participation.

The main aspect that is different from H.R. 5682 is the addition of modest sentencing reforms to some of the most egregious sentencing laws in our federal system which address 18 U.S.C. 924(c) stacking, tailor 21 U.S.C. 841 sentencing enhancements, apply the Fair Sentencing Act retroactively, and expand the existing federal safety valve. These reforms refocus resources to make certain that lengthy sentencing enhancements are used on the most dangerous offenders.

Overall, members can be certain that the First Step Act prioritizes public safety first. It is smart for Republicans to pass criminal justice reform that has been carefully debated and crafted by Republicans to ensure that public safety and crime reduction are the top priorities in reforming the justice system.

They can also be certain that this legislation is conservative at its core. The movement for criminal justice reform began in deep red states and has been effective across the country. Texas acted first, and other Republican states — South Carolina, Georgia, Kentucky, Oklahoma, and many others — have been very successful in reducing both crime rates and imprisonment rates simultaneously, while saving taxpayer dollars and lifting up the value of human life and redemption for all who work for it. It is time that the federal government follows suit.

FreedomWorks will count the vote on the First Step Act, S. 756, when calculating our Scorecard for 2018 and reserves the right to weight the vote. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes Members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Brandon', written in a cursive style.

Adam Brandon
President, FreedomWorks