



December 14, 2018

Key Vote YES on the First Step Act Amendment to S. 756

On behalf of our activist community, I urge you to contact your senators and urge them to vote YES on the First Step Act amendment to S. 756, sponsored by Sen. Chuck Grassley (R-Iowa). The First Step Act would reform the federal criminal justice system to make our communities safer by reducing crime and focusing limited resources on the most dangerous offenders.

By increasing access to and instituting incentives for inmate participation in recidivism reduction programming and by modestly modifying some sentencing laws, the First Step Act would provide much-needed changes to the federal criminal justice system. The legislation is the result of years and years of carefully studying and debating in Congress what works and what doesn't work in prison systems.

The House has already spoken strongly to this point in the 115th Congress, passing H.R. 5682 -- the base text of the First Step Act -- almost nine months ago by an overwhelming supermajority. Only two Republicans voted against the legislation.

As such, it is no surprise that the First Step Act has since garnered such broad support across the political spectrum both inside and outside of traditional political circles. From President Donald Trump and Sen. Lindsey Graham (R-S.C.) and Sen. Mike Lee (R-Utah) to Rep. Hakeem Jeffries (D-N.Y.) and Sen. Cory Booker (D-N.J.), there is no mistaking that, despite popular and often correct perceptions of Washington, bipartisan problem solving for the better is alive and well.

The First Step Act would create a risk and needs assessment for all prisoners in Bureau of Prisons (BOP) custody and implement evidence-based recidivism reduction programming based on the individual assessment to rehabilitate prisoners and lower their likelihood of reoffending. The incentives offered to successfully complete this programming are modest, taking the form of time credits for a qualifying prisoner who is deemed low- or minimum-risk to serve an increased portion of his or her sentence in alternate forms of BOP custody. This is not early release.

Additionally, the bill would reform four areas of sentencing law by reforming 18 U.S.C. 924(c) stacking to clarify that enhancements for second and subsequent offenses are used only on those who are true recidivists, by tailoring 21 U.S.C. 841 to modify mandatory minimum sentence enhancements and those who they may apply to, by applying the Fair Sentencing Act of 2010 retroactively, and by expanding the existing federal safety valve for judges sentencing individuals with little to no criminal history.

Altogether, these reforms can be certain to save taxpayer dollars (it costs over \$35,000 to incarcerate one individual for one year), reduce recidivism rates (the Bureau of Prisons currently boasts above a 40 percent failure rate to prevent reoffense), and return dignity to those who come in contact with the criminal justice system. Valuing life and redemption are core conservative values, and giving second chances to those who earn them is something we should embrace.

Multiple former federal prosecutors, state chambers of commerce, national law enforcement groups, media organizations like FOX, and a large coalition of conservative policy and grassroots groups across the country have come out in support of the legislation. Republicans should not and cannot let this opportunity to deliver a positive, bipartisan win pass by.

Passing the reworked, revised, and improved version of the First Step Act in the Senate is an incredibly large step toward following through on a key priority of President Trump's that represents Republicans' ability and willingness to work across the aisle to achieve positive change. President Trump said that he "look[s] very much forward to signing it," and Congress must allow him that chance in this incredibly important lame-duck session.

FreedomWorks will count the vote on the First Step Act amendment to S. 756 when calculating our Scorecard for 2018 and reserves the right to score any related votes, including further amendments, and weight any votes. 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