



November 7, 2017

## **Support the SAFE Justice Act, H.R. 4261**

On behalf of our activist community, I urge you to contact your representative and ask him or her to co-sponsor the Safe, Accountable, Fair, Effective (SAFE) Justice Act, H.R. 4261, introduced by Reps. Bobby Scott (D-Va.) and Jason Lewis (R-Minn.). The bill would focus resources on violent and career offenders, implement evidence-based programs to reduce recidivism, restore congressional intent to certain mandatory minimum sentences, and address over-criminalization in federal criminal statutes and regulations and over-federalization of criminal law.

For nearly three years, FreedomWorks has supported federal and state level efforts to reform the criminal justice system. States like Georgia, South Carolina, and Texas have taken a new approach – a “smart on crime” approach.

Facing rising prison populations and the increasing costs of over-incarceration, these states have implemented policies that focus limited resources on violent and career offenders and divert low-level, nonviolent offenders into drug courts and rehabilitative programs. For those who are incarcerated, states have utilized evidenced-based practices to reduce recidivism.

These states have seen crime rates decline across the board, including violent crime, homicides, and property crime. An overview of the successes of these states was recently highlighted in a recent FreedomWorks issue brief.<sup>1</sup>

The SAFE Justice Act takes the approach of the states, implementing smart on crime reforms that will focus limited resources on violent and repeat offenders and implement programs designed to reduce recidivism. The bill would ensure that existing sentencing laws punish offenders who should be sentenced to lengthy prison terms. Low-level, nonviolent offenders with little to no criminal history or those who suffer from a mental illness would benefit from an expanded safety valve exception to mandatory minimum sentences.

Among other sentencing reforms, the SAFE Justice Act would clarify congressional intent

---

<sup>1</sup> Jason Pye, Christina Herrin, and Sarah Anderson, *Simple Justice: An Overview of Justice Reform in the 115th Congress*, FreedomWorks, October 23, 2017 <http://www.freedomworks.org/content/simple-justice-overview-justice-reform-115th-congress>

regarding the sentencing enhancement provided under 18 U.S.C. 924(c) to ensure that it applies to repeat offenders and would make the Fair Sentencing Act, which reduced the sentencing disparity between crack cocaine and powdered cocaine, retroactive.

Recidivism reduction is an essential aspect of reforms that the SAFE Justice Act approaches appropriately. Every federal prisoner would be subject to a post-sentencing risk and needs assessment to determine their risk of recidivism.


Prisoners would be required to participate in recidivism reduction programming and incentivized to lower their risk of reoffended by earning a ten-day credit of time served for each month of successful completion of programming. Certain offenders – those serving prison time for homicide, terrorism, or sex offenses – are not eligible for time credits.

The SAFE Justice Act would also require the Attorney General to compile and make publicly available a list of all federal criminal laws and regulations carrying criminal penalties. The bill would explore remedies for the over-federalization of criminal law.

Additionally, the bill would promote improving the relationship between law enforcement and communities by prioritizing de-escalation training. Savings provided under the bill would be reinvested into several different programs to promote recidivism reduction and the safety of law enforcement.

For these reasons, I urge you to contact your representative and ask them to support the SAFE Justice Act, H.R. 4261.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Brandon', with a stylized flourish at the end.

Adam Brandon  
President, FreedomWorks