



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

April 23, 2018

Hon. Mitch McConnell
United States Senate
317 Russell Senate Office Building
Washington, D.C. 20510

Hon. Chuck Schumer
United States Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Hon. Chuck Grassley
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

Hon. Diane Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Hon. Nancy Pelosi
United States House of Representatives
233 Cannon House Office Building
Washington, D.C. 20515

Hon. Paul Ryan
United States House of Representatives
1233 Longworth House Office Building
Washington, D.C. 20515

Hon. Bob Goodlatte
United States House of Representatives
2309 Rayburn House Office Building
Washington, D.C. 20515

Hon. Jerry Nadler
United States House of Representatives
2109 Rayburn House Office Building
Washington, D.C. 20515

**RE: Law Enforcement Perspective -- Sentencing Reform and Corrections Act (S.1917),
Prison Reform and Redemption Act (H.R. 3356), CORRECTIONS Act (S. 1994)**

Dear Speaker, Chairmen, and Leaders:

We write to you as members of Law Enforcement Leaders to Reduce Crime & Incarceration. As current and former law enforcement officials, our primary responsibility is, first and foremost, to protect the public safety of our country. We have dedicated our careers to fighting crime and keeping our communities safe. That same duty compels us to speak out today about the critical nature of sentencing reform as part of any criminal justice reform effort in Congress.

Law Enforcement Leaders unites more than 200 current and former police chiefs, sheriffs, district attorneys, U.S. Attorneys, and attorneys general from all 50 states and across the political spectrum. Our mission is to work to reduce crime and incarceration together. To achieve this goal, we focus

on four policy priorities — two of which call for reforming mandatory minimum sentencing laws and improving efforts to assist prisoners reenter society.

Legislation like the Prison Reform and Redemption Act (H.R.3356) and the CORRECTIONS Act (S. 1994) are useful efforts to improve the lives of those in prison. But such efforts should be coupled with efforts to reduce unnecessary incarceration, as it is in the Sentencing Reform and Corrections Act.

Today, our oversized prison population costs taxpayers \$80 billion annually and draws resources away from law enforcement efforts to fight violent crime.ⁱ To refocus our resources and enhance public safety, we urge Congress to pass legislation including both comprehensive sentencing reform and reentry programs to reduce recidivism rates.

Lawmakers and Presidents of both parties have taken great strides to reform prison systems and develop more effective reentry programs. We are grateful to the White House for allocating resources towards reducing recidivism, through the creation of the Federal Interagency Council on Crime Prevention and Improving Reentry, and for its support of similar legislative efforts. This concerted effort acknowledges the importance of setting an example of criminal justice reform on the federal level, and the impact federal policies have on state and local criminal justice practice.

However, improving prison conditions and reentry services, on their own, will not adequately solve our high rates of incarceration and recidivism. It will not stop the overuse of incarceration for minor drug-related and low-level, non-violent offenses. To have meaningful reform, we must also address our sentencing laws. As those fighting crime on the frontlines, we know from firsthand experience that it is ineffective to exhaust resources on reducing the rate of recidivism if there is no accompanying effort to reduce the rate at which people unnecessarily enter prison in the first place. For this reason, 67 of our members [wrote in support](#) of a previous version of the Sentencing Reform and Corrections Act in early 2016.ⁱⁱ

We ask the Senate, House, and White House to work together to pass the Sentencing Reform and Corrections Act in addition to any reentry legislation. The Act would shorten unnecessarily long sentences for lower-level offenders, a solution that has been shown in other parts of the country to successfully reduce crime and incarceration together.ⁱⁱⁱ

States have already had much success in such efforts. Following the elimination of prison sentences for certain low-level and non-violent felonies in 2009, Florida's imprisonment rate fell by 10.4 percent in five years, and its violent and property crime rate by 20 percent.^{iv} Similarly, South Carolina eliminated mandatory minimums for drug possession in 2010. By 2014, the state's imprisonment rate fell by 13 percent and the violent crime rate dropped 17 percent.^v By 2013, the state's three-year recidivism rate also decreased by 13 percent.^{vi} California also enacted a number of policies that significantly reduced the state's incarceration rate, including Proposition 47, which reclassified petty theft and simple, low-level drug possession as misdemeanors.^{vii} With the savings from reduced incarceration, the state invested it into community-based crime prevention

programs.^{viii} These are promising results, which can be replicated at the federal level. If Congress offers national leadership on sentencing reform, other states will also follow suit.

As law enforcement leaders, we want to make clear where we stand: Not only is passing federal mandatory minimum and reentry reform necessary to reduce incarceration, it is also necessary to help police and prosecutors continue to keep crime at its historic lows across the country. We believe the Sentencing Reform and Corrections Act will accomplish this goal and respectfully urge Congress to swiftly pass it.

Respectfully yours,

Ronal Serpas

Chairman
Law Enforcement Leaders to Reduce Crime & Incarceration
Former Police Superintendent
New Orleans, Louisiana

Art Acevedo

Police Chief
Houston, Texas

Hassan Aden

Executive Fellow
Police Foundation
Former Police Chief
Greenville, North Carolina

Cedric Alexander

Former Police Chief
DeKalb County, Georgia
Former President
National Organization of Black Law Enforcement Executives

Eric Atkinson

Chief of Police
Menomonie, Wisconsin

Jim Bueermann

President
Police Foundation
Former Police Chief
Redlands, California

Chris Burbank

Former Police Chief
Salt Lake City, Utah

Zachary Carter

Corporation Counsel
New York, New York
Former U.S. Attorney
Eastern District of New York

John Chisholm

District Attorney
Milwaukee County, Wisconsin

John Choi

County Attorney
Ramsey County, Minnesota

William Citty

Chief of Police
Oklahoma City, Oklahoma

Jerry Clayton

Sheriff
Washtenaw County, Michigan

Brendan Cox

Director of Policing Strategies
LEAD National Support Bureau
Former Police Chief
Albany, New York

Dwayne Crawford

Executive Director
National Organization of Black Law Enforcement Executives

Ron Davis

Former Director
U.S. Department of Justice, Office of Community Oriented Policing Services (COPS)
Former Police Chief
East Palo Alto, California

Allison DeFoor
Former Sheriff
Monroe County, Florida

John Diaz
Former Police Chief
Seattle, Washington

Richard Doran
Former Attorney General
Florida

Paul Fitzgerald
Sheriff
Story County, Iowa
Former President
National Sheriffs' Association

Neill Franklin
Executive Director
Law Enforcement Action Partnership
Former Police Commander
Baltimore, Maryland

Mike Freeman
County Attorney
Hennepin County, Minnesota

George Gascon
District Attorney
San Francisco County, California
Former Police Chief
San Francisco, California

Sim Gill
District Attorney
Salt Lake County, Utah

Barry Grissom
Former U.S. Attorney
District of Kansas

Gregory Hamilton
Former Sheriff
Travis County, Texas

Hal Hardin
Former U.S. Attorney
Middle District of Tennessee
Former Judge
Davidson County, Second Circuit Court

Brent D. Harris
City Prosecutor
Flagstaff, Arizona

Timothy Heaphy
Former U.S. Attorney
Western District of Virginia

Peter Holmes
City Attorney
Seattle, Washington

Walter Holton
Former U.S. Attorney
Middle District of North Carolina

John Hummel
District Attorney
Deschutes County, Oregon

Keith Humphrey
Chief of Police
Norman, Oklahoma

Joseph Jaffe
Former District Attorney
Sullivan County, New York

James E. Johnson
Former Undersecretary for Enforcement
U.S. Department of the Treasury

Kevin Joyce
Sheriff
Cumberland County, Maine

Gil Kerlikowske
Former Commissioner
U.S. Customs and Border Protection
Former Director
Office of National Drug Control Policy

George Kral
Chief of Police
Toledo, Ohio

David LaBahn
President and CEO
Association of Prosecuting Attorneys

Chris Magnus
Chief of Police
Tucson, Arizona

David Mahoney
Sheriff
Dane County, Wisconsin

Charles McClelland
Former Police Chief
Houston, Texas

Cameron McLay
Former Police Chief
Pittsburgh, Pennsylvania

Joel Merry
Sheriff
Sagadahoc County, Maine

Stephanie Morales
Commonwealth's Attorney
Portsmouth, Virginia

Peter Newsham
Chief of Police
Washington, District of Columbia

Matt Orwig
Former U.S. Attorney
Eastern District of Texas

Richard J. Pocker
Former U.S. Attorney
District of Nevada

Timothy Purdon
Former U.S. Attorney
District of North Dakota

Rick Raemisch
Executive Director
Colorado Department of Corrections
Former Sheriff
Dane County, Wisconsin

Gordon Ramsay
Chief of Police
Wichita, Kansas

Jill Ravitch
District Attorney
Sonoma County, California

Richard Rossman
Former U.S. Attorney
Eastern District of Michigan

Daniel Satterberg
Prosecuting Attorney
King County, Washington

Michael Sauschuck
Chief of Police
Portland, Maine

William Scott
Chief of Police
San Francisco, California

Susan Segal
City Attorney
Minneapolis, Minnesota

David Steingraber
Former Police Chief
Menomonee Falls, Wisconsin

Darrel Stephens
Former Executive Director
Major Cities Chiefs' Association
Former Police Chief
Charlotte Mecklenburg, North Carolina

Donald Stern
Former U.S. Attorney
District of Massachusetts

Brett Tolman
Former U.S. Attorney
District of Utah

Cyrus Vance
District Attorney
New York County, New York

John Walsh
Former U.S. Attorney
District of Colorado

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- ⁱ Eduardo Porter, *In U.S. Punishment Comes Before the Crimes*, N.Y. TIMES, Apr. 29, 2014, <https://www.nytimes.com/2014/04/30/business/economy/in-the-us-punishment-comes-before-the-crimes.html>.
- ⁱⁱ Letter from Law Enforcement Leaders to Reduce Crime and Incarceration to U.S. Senator Mitch McConnell et al. (Jan. 20, 2016), <http://lawenforcementleaders.org/wp-content/uploads/2016/01/Law-Enforcement-Leaders-SCRA-Letter-of-Support.pdf>.
- ⁱⁱⁱ Sentencing Reform and Corrections Act, S. 1917 115th Cong. (2017), <https://www.congress.gov/bill/115th-congress/senate-bill/1917/text>.
- ^{iv} PEW CHARITABLE TRUSTS, NATIONAL IMPRISONMENT AND CRIME CONTINUE TO FALL (2016), http://www.pewtrusts.org/~media/assets/2017/03/pspp_national_imprisonment_and_crime_rates_fall.pdf.
- ^v For change in the imprisonment rate *see* CORRECTIONS STATISTICAL ANALYSIS TOOL, BUREAU OF JUSTICE STATISTICS, IMPRISONMENT RATES, 1978-2016, <https://www.bjs.gov/index.cfm?ty=nps> (showing a 2010 imprisonment rate of 492 and 2014 rate of 428); For change in the violent crime rate *compare* UCR Data Online, UNIF. CRIME REPORTING STATISTICS, <http://www.ucrdatatool.gov/index.cfm> (providing crime statistics from 1960 to 2012 and showing the South Carolina violent crime rate was 602.2 per 100,000 people in 2010) *with* UCR Data Online, CRIME IN THE UNITED STATES, 2014 tbl.5 (2015), <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014> (showing the South Carolina violent crime rate was 497.7 per 100,000 people in 2014).
- ^{vi} THE COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER, REDUCING RECIDIVISM: STATES DELIVER RESULTS, 14 (2017), https://csgjusticecenter.org/wp-content/uploads/2018/03/Reducing-Recidivism_State-Deliver-Results_2017.pdf.
- ^{vii} Safe Neighborhoods and Schools Act, CAL. PROPOSITION 47 (2014) (codified as CAL. GOV'T CODE §§ 7599-7599.2; CAL. PENAL CODE § 1170.1; and codified as amended PENAL §§ 459.5, 473, 476a, 490.2, 496, 666; CAL. HEALTH & SAFETY CODE §§ 11350, 11357, 11377 (West Supp. 2014)). For the full text of Prop 47, see Official Voter Information Guide for 2014 General Election, UC HASTINGS SCHOLARSHIP REPOSITORY 70 (2014), http://repository.uchastings.edu/cgi/viewcontent.cgi?article=2328&context=ca_ballot_props.
- ^{viii} Jazmine Ulloa, *Prop. 47 got thousands out of prison. Now, \$103 million in savings will go towards keeping them out*, L.A. TIMES, Mar. 29, 2017, <http://www.latimes.com/politics/la-pol-sac-prop-47-grant-awards-20170329-htmistory.html>.