

FAMM: House Sentencing Reform Compromise Another Step in Right Direction

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WASHINGTON, DC — FAMM Government Affairs Counsel Molly Gill today praised a new U.S. House of Representatives sentencing reform bill, calling it “more evidence that Congress is finally ready to fix our federal mandatory minimum sentencing laws.” The bill, titled “The Sentencing Reform Act,” was introduced by House Judiciary Committee Chairman Bob Goodlatte (R-VA), Ranking Member John Conyers (D-MI), and Representatives Sheila Jackson Lee (D-TX), Judy Chu (D-CA), Mike Bishop (R-MI), and Raul Labrador (R-ID).

“Chairman Goodlatte was one of the last defenders of our counterproductive mandatory sentencing laws, so we’re glad to see him take this positive step toward reform,” said Gill. “While the bill introduced today improves upon the status quo, we’re not convinced that it is the best the House can do. We hope that the bill’s sponsors will be open to including some of the good and popular ideas from the SAFE Justice Act,” she added.

The SAFE Justice Act (H.R. 2944), sponsored by Reps. Jim Sensenbrenner (R-WI) and Bobby Scott (D-VA), has 50 bipartisan cosponsors in the House and enjoys support from criminal justice and taxpayer advocacy groups from across the political spectrum, including FAMM, Koch Industries, FreedomWorks, the ACLU, and American Conservative Union. Just yesterday, FAMM began airing radio ads in Representative Goodlatte’s Virginia district urging him to support mandatory minimum sentencing reform and the SAFE Justice Act.

According to Gill, the Goodlatte-Conyers bill largely mirrors the Sentencing Reform and Corrections Act (S. 2123), a bipartisan bill introduced last week in the U.S. Senate by Senators Chuck Grassley (R-IA), Dick Durbin (D-IL), John Cornyn (R-TX), and Patrick Leahy (D-VT), among others. Specifically, the Goodlatte bill includes provisions to:

- Reduce the mandatory life without parole sentence for a third drug or violent felony offense to a mandatory minimum term of 25 years in prison (retroactive);
- Reduce the mandatory minimum 20-year sentence for a second drug or violent felony offense to a mandatory minimum term of 15 years in prison (retroactive);
- More narrowly define which prior offenses can trigger longer mandatory minimum drug sentences;
- Make the Fair Sentencing Act (FSA) of 2010 retroactive, allowing approximately 6,500 crack cocaine offenders sentenced before August 3, 2010, to seek sentences in line with that law’s reforms to the 100-to-one disparity between crack and powder cocaine mandatory minimum sentences;

- Significantly expand the drug “safety valve” exception so that nonviolent drug offenders with non-serious criminal histories can receive sentences below the mandatory minimum term (not retroactive);
- Reduce the 15-year mandatory minimum sentence for certain gun possession offenses by people with criminal records to a mandatory minimum term of 10 years (retroactive);
- Reduce the 25-year mandatory minimum sentence for those who commit multiple offenses of possessing guns in the course of drug trafficking offenses to a mandatory minimum term of 15 years (retroactive).

According to Gill, the Goodlatte bill would apply some of its reforms retroactively, but limit the scope of who may seek sentence adjustments. “Limited retroactivity isn’t fair or right, and it also will not help cut prison costs and save money for law enforcement, who need those funds to prevent crime and restore victims.”

“Congress has several good reforms to choose from now to make sentences fairer and protect the public more effectively. There is a way forward here, and we hope Congress will choose the boldest, most comprehensive sentencing reform possible,” Gill concluded.