



# 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.<sup>i</sup> 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.<sup>ii</sup>

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.<sup>iii</sup>

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.<sup>iv</sup> 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.<sup>v</sup> By 2013, the state's three-year recidivism rate also decreased by 13 percent.<sup>vi</sup> 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.<sup>vii</sup> With the savings from reduced incarceration, the state invested it into community-based crime prevention

programs.<sup>viii</sup> 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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- <sup>i</sup> 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>.
- <sup>ii</sup> 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>.
- <sup>iii</sup> Sentencing Reform and Corrections Act, S. 1917 115th Cong. (2017), <https://www.congress.gov/bill/115th-congress/senate-bill/1917/text>.
- <sup>iv</sup> 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](http://www.pewtrusts.org/~media/assets/2017/03/pspp_national_imprisonment_and_crime_rates_fall.pdf).
- <sup>v</sup> 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).
- <sup>vi</sup> 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](https://csgjusticecenter.org/wp-content/uploads/2018/03/Reducing-Recidivism_State-Deliver-Results_2017.pdf).
- <sup>vii</sup> 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](http://repository.uchastings.edu/cgi/viewcontent.cgi?article=2328&context=ca_ballot_props).
- <sup>viii</sup> 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>.