



March 26, 2018

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of the Committee on Domestic Justice and Human Development of the U.S. Conference of Catholic Bishops (USCCB) and Catholic Charities USA (CCUSA), we write in support of the Sentencing Reform and Corrections Act of 2017 (S. 1917) (“SRCA”).

Our organizations have continuously advocated in favor of comprehensive improvement to our nation’s criminal justice system. Sentencing reform, along with prison and reentry program reform, are all critical components to a just and comprehensive criminal justice reform. In addition to SRCA, which represents years of bipartisan efforts to improve sentencing and prison reform, we urge you to address prison reform and reentry support programs by reauthorizing the Second Chance Act.¹

The criminal justice system should serve both justice and mercy. As the Catholic bishops wrote in their pastoral statement:

We are guided by the paradoxical Catholic teaching on crime and punishment: We will not tolerate the crime and violence that threatens the lives and dignity of our sisters and brothers, and we will not give up on those who have lost their way. We seek both justice and mercy. Working together, we believe our faith calls us to protect public safety, promote the common good, and restore community.²

Society has a proper role in setting and enforcing just criminal laws, but our nation now has the highest rate of incarceration in the world with individuals, particularly from minority communities, serving disproportionately long sentences for non-violent offenses. Appropriate

¹ <http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/upload/Second-Chance-Reauthorization-Act-Endorser-2017-10-16.pdf>

² <http://www.usccb.org/issues-and-action/human-life-and-dignity/criminal-justice-restorative-justice/crime-and-criminal-justice.cfm>

punishment of wrongdoers is justified, but that punishment must always have a constructive and redemptive purpose.

The Sentencing Reform and Corrections Act of 2017 takes many steps in the right direction. On sentencing reform, the reduction of enhanced sentencing for prior drug felonies, the broadening of the safety valve to give more discretion to judges to fit the punishment to the crime, the limitation on the application of the 10-year mandatory minimum, and the expansion of the Fair Sentencing Act are praiseworthy features. Although we oppose the additional mandatory minimums – because one-size-fits-all solutions are often inadequate to address the complex causes of crime – on balance, this bill advances important improvements to federal sentencing practices.

In terms of prison reform, support for efforts to expand programs that reduce recidivism—such as education, jobs, workforce development, and mentoring—is essential. SRCA laudably creates a post-sentencing risk-and-needs assessment system that emphasizes dynamic factors to create incentives to earn time towards a placement in a prerelease facility. Critically, such a system will be reviewed regularly to ensure that it will not further exacerbate racial disparities in the criminal justice system. In the final bill, a provision should be added so that these reviews, and the methodology of the risk assessment system, are made public to help ensure the integrity of the system. SRCA also takes a positive step to expand compassionate release for terminally ill prisoners, parole for juveniles, and expungement of juvenile records. Restricting the use of solitary confinement, which Pope Francis has called a form of “torture,”³ is also an important improvement. Finally, support for a Criminal Justice Commission helps to recognize the need for further research and reform of the criminal justice system.

This bipartisan bill makes a worthy first step towards criminal justice reform. As you debate sentencing and prison reform over the coming months, we urge you to work towards a system that serves both justice and mercy, that seeks to safeguard the common good and restore the community.

Sincerely,



Most Reverend Frank J. Dewane
Bishop of Venice
Chairman, Committee on Domestic Justice
and Human Development



Sister Donna Markham, OP, Ph.D.
President & CEO
Catholic Charities USA

³ https://w2.vatican.va/content/francesco/en/speeches/2014/october/documents/papa-francesco_20141023_associazione-internazionale-diritto-penale.html