



April 3, 2014

**Re: Pass the Smarter Sentencing Act, S. 1410**

Dear Senator:

In coming weeks you will have an opportunity to improve fairness, limit racial disparity, protect public safety and help victims of crime by voting in favor of the Smarter Sentencing Act (S. 1410), sponsored by Senators Mike Lee (R-UT) and Richard Durbin (D-IL). By reducing excessive sentences for low level drug offences, the legislation is an incremental justice reform that would increase safety for staff in overcrowded prisons, save money, and alleviate the severe and arbitrary consequences of mandatory minimums on low level, non-violent drug offenders. The National Council of the Churches of Christ in the USA (NCC) urges you to pass the Smarter Sentencing Act when it comes to the Senate floor for a vote and to join its bipartisan coalition of supporters as a cosponsor.

The NCC includes 37 member communions representing 45 million Christians from Protestant, Anglican, Orthodox, Evangelical, historic African American, and Living Peace Church traditions. NCC has advocated for criminal justice reform for decades. In February 1972 NCC adopted a resolution calling on “programs of genuine prison reform” to move beyond models of punishment to rehabilitation. The Smarter Sentencing Act would be another step in this move to provide real solutions to crime and recognize the humanity of all individuals.

In a letter to the Senate Judiciary Committee in November 2013, Judge Patti B. Saris, chair of the U.S. Sentencing Commission, cited a USSC analysis that concluded that drug mandatory minimum penalties “often apply more broadly than to just the high-level drug offenders that it appears Congress intended to target.” The Smarter Sentencing Act seeks to address this statutory overreach, and the bipartisan USSC has endorsed its provisions. The USSC has also testified before the Judiciary Committee that Black and Hispanic defendants constitute the majority of people subject to mandatory minimum sentences and existing opportunities for relief from them are less often available to African American defendants. Passage of the Smarter Sentencing Act would help restore fairness in our justice system by limiting this existing racial disparity.

Since 1980 the federal prison population has increased 800%. Half of the current inmates in federal prisons are incarcerated for drug offenses. Today, the Bureau of Prisons consumes \$6 billion, over 25% of the Department of Justice’s budget. Spending will continue to grow if sentencing reforms are not enacted. At a time of significant belt tightening, the high cost of prison means less money for other important programs, like services for victims, crime prevention, and re-entry programs.



## National Council of the Churches of Christ in the USA

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While we support passage of S. 1410's provisions to reduce drug sentences we do not support new amendments added to the legislation to create mandatory sentences for other domestic violence offenses. These new minimums would have the effect of deterring victims from reporting abuse in cases where a conviction might take a bread-winner away from a family for years. **It is important to block any additional harmful provisions such as this from being allowed as amendments to the Act.**

The National Council of Churches Governing Board in November of 2013 set addressing issues of Mass Incarceration as one of our priorities. We believe the "Smarter Sentencing Act" is one small step in addressing mass incarceration and the racial disparities in our prison systems. We pray that you recognize the important practical, ethical and moral issues at stake and support the Smarter Sentencing Act.

Sincerely,

Jim Winkler  
General Secretary/President  
National Council of Churches