



November 28, 2018
United States Senate
Washington, DC 20510

Dear Senator,

On behalf of the Office of Justice and Ecology of the Jesuits of the United States, I urge you to support S.3649, the revised *First Step Act of 2018* as it is currently written. Our longstanding experience of serving those impacted by the criminal justice system has taught us that sentencing policies, prison programming, and reentry services in the United States are in desperate need of reform. The proposed legislation is a modest first step that we believe can begin a larger process of criminal justice reform.

As Catholics, we recognize the important role that the criminal justice system must play in protecting society and promoting the common good. Our faith also teaches us that all people are redeemable and possess inherent dignity, regardless of their actions. In their letter *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice*, the U.S. Catholic Bishops wrote, "We are all sinners, and our response to sin and failure should not be abandonment and despair, but rather justice, contrition, reparation, and return or re-integration of all into the community."

While we are disappointed that the president and leadership in the Senate have decided not to move forward on the more robust *Sentencing Reform and Corrections Act of 2017*, we are pleased to see important policy changes added to the revised *First Step Act*, including:

- Expanded judicial discretion in determining who qualifies for certain mandatory minimum sentences;
- Retroactive application of the *Fair Sentencing Act*, which reduced the 100-1 sentencing disparity between crack vs. powder cocaine offenses;
- Provision of de-escalation training to correctional officers;
- Requirement that individuals be held in a facility no more than 500 miles from their residency;
- Mandate that pregnant women not be restrained while in custody;
- Additional funding for rehabilitative programming in prisons.

We are disappointed that the bill sponsors have decided to exclude from receiving time credits those prisoners who have been convicted of crimes related to the ongoing opioid crisis. History has shown that we cannot incarcerate our way out of a drug epidemic. We are also concerned that the sentencing reforms included in the legislation are only applied prospectively and not retroactively.

Pope Francis has reminded us that "God is in everyone's life. Even if the life of a person has been a disaster, even if it is destroyed by vices, drugs or anything else." Passage of the revised *First Step Act*, while only the beginning, would set the United States on a path toward a criminal justice system that is less punitive and more focused on healing, restoration, and hope for all.

Thank you for your consideration of this legislation.

Sincerely,

Ted Penton, SJ
Secretary
Office of Justice and Ecology
Jesuit Conference of Canada and the United States