



Senate Judiciary Committee
United States Senate
Washington, D.C. 20510

Monday, October 19, 2015

Re: Sentencing Reform and Corrections Act (S. 2123)

Dear Senators:

The National Center for Transgender Equality strongly supports the Sentencing Reform and Corrections Act. While we believe the proposed bill could go further by eliminating mandatory minimums for non-violent offenses, we applaud its potential for significant progress in critically necessary reform of the federal criminal justice system's mass incarceration policies.

These reforms are essential for LGBT people. According to the 2011 National Transgender Discrimination Survey, 1 in 8 transgender people were either currently incarcerated or had been in the past. That number jumped to 1 in 4 for trans Latinas, and nearly 1 in 2 for trans African-Americans. Prisons, moreover, are fundamentally unsafe for LGBT people. Most starkly, more than one in three trans prisoners report being sexually assaulted while incarcerated in 2011-12. Transgender people of color face an especially high risk of physical and sexual violence while incarcerated. Reducing mandatory minimum sentences for non-violent drug offenses, giving federal judges discretion to go below mandatory minimums, and retroactively enforcing drug sentencing reforms are critical first steps to reducing the disparate effect the current sentencing policies have on transgender people, and in particular on transgender of color.

While 6% of youth are thought to be LGBT, a stunning 15% in juvenile detention are LGBT. Reforming the federal juvenile system, including banning solitary confinement and increasing the ability for federal criminal record sealing for juveniles is necessary to give the disproportionate number of incarcerated LGBT youth greater opportunities and prospects upon reentering society.

This bill contains meaningful reforms that are urgently needed. We urge you to move swiftly to pass the broadest, most comprehensive reform possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. J. Tobin', with a long horizontal flourish extending to the right.

Harper Jean Tobin,
Policy Director, National Center for Transgender Equality