CRIME SURVIVORS FOR
SAFETY AND JUSTICE

Hon. Mitch McConnell Majority Leader   Hon. John Cornyn House Majority Whip
Hon. Charles Schumer House Minority Leader   Hon. Richard Durbin Senate Democratic Whip

Cotton/Kennedy Amendments Do Not Align with Best Practices to Support Crime Survivors

Crime Survivors for Safety and Justice is a national network of crime victims that advocate for public safety policies that meet victims' needs for protection, support and accountability. Crime Survivors for Safety and Justice is a project of Alliance for Safety and Justice and has more than 30,000 members and chapters in states across the county.

As the Managing Director of Crime Survivors for Safety and Justice and a survivor of violent crime, time and again I have seen the criminal justice system disregard the views and needs of crime victims and re-traumatize victims through ineffective laws and practices. Across the country, most crime victims experience a justice system that fails to reduce recidivism among people that commit crimes, fails to support the trauma recovery process for crime victims and fails to prioritize evaluating risk and effective rehabilitation to stop the cycle of crime.

The First Step Act is long overdue criminal justice reform that brings more effective practices to reduce recidivism among people in the federal criminal justice system. However, the proposed Cotton/Kennedy amendments to First Step Act do just the opposite. These amendments will fail to meet the needs of crime victims and effective public safety policy. These amendments claim to be designed to protect victims of crime, but they violate the victim centered approach in many ways:

- A <u>mandatory</u> notification requirement is <u>contrary to the victim-centered approach</u> of avoiding re-traumatization. Current law and DOJ policy permit a victim to determine whether he or she wants notification of release. A mandate like this requires notification for those who may not want it and could trigger trauma for thousands of victims many years later after the crime.

- BOP data on the release date of any prisoner is publicly available on the BOP website. Victim notification is already required by law <u>if victims choose to receive notice</u>. The Crime Victims' Rights Act provides the right to timely notice of any release.

- Victim notification already occurs through DOJ's Automated Victim Notification System <u>if victims opt to receive notice</u>. This system is a partnership with BOP, the FBI, the U.S. Postal Inspection Service, and the United States Attorney's Office. It is a free, computer-based system, which provides victims with information on scheduled court events, the outcomes of events, custody status and release dates.

These amendments also do not align with best practices to reduce recidivism – a key priority for most survivors of crime in terms of how the justice system should work. The First Step Act relies on an

evidence-based system that addresses the underlying reason why a person has committed a crime and prepares them to reenter and lead successful and productive lives. These amendments violate those goals:

- The Cotton/Kennedy Amendments undermine that system by gutting the bill's requirement that release determinations be guided by an objective, evidence-based risk assessment tool, which will ensure that only prisoners who are low or minimum risk will be placed in supervised release.

- The Amendments instead instill the power in warden's to make a determination as to whether or not to release an individual to pre-release custody or supervised release. This tedious new system will discourage individuals in the prison from participating in life changing classes that result in their rehabilitation thus undermining public safety.

Please oppose these amendments and leave the First Step Act in tact to achieve the goals it is designed to achieve. These amendments undermine the needs of survivors for a more effective justice system. Thank you for consideration.

Sincerely,

Shakyra Diaz

Shakyra Diaz
Managing Director
Crime Survivors for Safety and Justice