

February 13, 2018

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate

The Honorable Diane Feinstein
Ranking Member
Committee on the Judiciary
United States Senate

Re: Support the Sentencing Reform and Corrections Act (S. 1917)

Dear Chairman Grassley and Ranking Member Feinstein:

As the Senate Judiciary Committee prepares to consider the Sentencing Reform and Corrections Act, the National Association of Social Workers (NASW) writes to express support for the bill. We urge the Judiciary Committee to recommend the legislation to the full Senate for passage.

NASW is the nation's largest social work professional organization with over 120,000 members, and chapters in all 50 states. Social workers make up a significant part of the federal and state criminal justice workforce. Given NASW's stakeholder role in this issue, we feel the Sentencing Reform and Corrections Act will have a significant impact on addressing decade's long problems and inequities in federal sentencing and corrections. Its passage will be instrumental in:

- Producing a more rational and effective federal sentencing structure that restores a more appropriate balance in sentencing policy. This change will reduce past practices of the application of mandatory sentencing that are overly long and punitive. Recent evidence from a study by the U.S. Sentencing Commission confirms that sentence reductions of the magnitude proposed in the bill cannot be accomplished without adverse effects on crime, nor will it increase rates of recidivism.
- The U.S. Sentencing Commission as well as substantial academic research demonstrate that problem with mandatory sentencing is that mandatory sentencing:
 - Establishes a “one size fits all” sentencing structure that prohibits consideration of individual and case factors long considered to be relevant at sentencing.

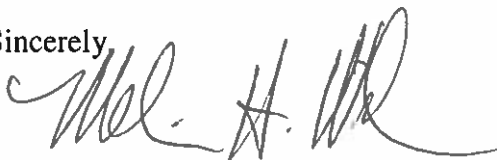
- Largely results in a transfer of discretion from judges to prosecutors, primarily through the charging and plea negotiation processes.
- Has produced racial disparities in outcomes, whereby white defendants are more frequently able to plead guilty to charges that do not carry a mandatory penalty than similarly situated African American defendants.
- The provisions of the Sentencing Reform and Corrections Act will bring a greater measure of rationality and fairness to federal sentencing. The components of this bill also provide the potential for a significant reduction of the federal prison population, which will result in cost savings, and no adverse effect on public safety.
- The bill's key provisions will facilitate the ability to make distinctions between the "kingpins" of the drug trade, and those whose involvement is only at the street level drug offenses, allowing judges to impose sentences that fit the crime in non-violent drug cases
- We are heartened that the Sentencing Reform and Corrections Act includes provisions that help incarcerated persons successfully transition from incarceration back to their communities by expanding prerelease and re-entry programs

While NASW supports the spirit of the reforms in the bill, we are concerned that it does not include sufficient language that recognizes the need to address programming for incarcerated individuals with serious and persistent mental illness. There is ever increasing evidence that the provision of specialized and innovative mental health programs and appropriate reentry planning for those with mental illness reduces rearrests and recidivism. We hope the final version of the Sentencing Reform and Corrections Act will be amended to respond to the needs of those with mental illness.

In any event, NASW and its membership are prepared to work with Congress to advocate for passage of the Sentencing Reform and Corrections Act. This legislation is badly needed to move the country toward comprehensive criminal justice reform.

Please feel free to contact me at 202-336-8219 or at mwilson.NASW@socialworkers.org

Sincerely

A handwritten signature in black ink, appearing to read 'Mel H. Wilson', with a stylized flourish at the end.

Melvin H. Wilson, MSW, MBA
Senior Manager,
Department of Social Justice and Human Rights