

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Executive Business Meeting
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Good morning. Today, we'll consider several nominations as well as the Sentencing Reform and Corrections Act.

Before we begin, I want to mention the tragedy that took place yesterday at Marjory Stoneman Douglas High School in Parkland, Florida. The shooter, a former student, killed 17 and injured 23 others in a display of senseless and cowardly violence. No motive can justify this horrific crime. My heart goes out to the victims of this tragedy and their families.

Jonathan Mitchell, who is nominated to be the Chairman of the Administrative Conference of the United States, is on the agenda for the first time and the minority has requested that his nomination be held over, so his nomination is held over.

The first nominee we'll consider today is Michael Brennan, nominated to the Seventh Circuit Court of Appeals. Judge Brennan is a well-respected former state trial court judge and assistant district attorney for Milwaukee. He's received broad, bipartisan support from the Wisconsin legal community, including from the longtime former Milwaukee district attorney—a prominent Democrat.

And also, for my friends on the other side, Judge Brennan received a unanimously Well-Qualified rating from the ABA.

Today, we're also marking up the Sentencing Reform and Corrections Act. This legislation reforms mandatory minimum prison sentences to focus on the most serious drug offenders and violent criminals. This is a bipartisan bill that cuts costs, reduces crime, and optimizes the criminal justice system. It is supported by a diverse array of groups including FreedomWorks, the American Conservative Union, Prison Fellowship, Families against Mandatory Minimums, the NFL, the ACLU, and the NAACP.

It is also a bill with policies that enjoy broad national support. A recent poll showed that the American people strongly support improving our criminal justice system. 87% of Americans and 83% of Republicans believe that mandatory minimums for nonviolent offenders should be replaced by a system focused on judicial discretion.

76% of Americans and 68% of Republicans believe the criminal justice system needs significant improvements. 87% of Americans and 80% of Republicans think we're spending too much money on prisons that should be used instead for treatment, rehabilitation, law enforcement, and victim services.

The bill gives judges additional discretion in sentencing defendants with minimal non-violent criminal histories that may trigger mandatory minimum sentences under current law. It also applies some of these reforms retroactively, including the Fair Sentencing Act.

But before this happens, judges must first review eligible inmates' individual cases, including criminal histories and conduct while incarcerated to determine whether a sentence reduction is appropriate.

Importantly, the bill preserves cooperation incentives to aid law enforcement in tracking down kingpins and stiffens penalties for individuals convicted of serious violent felonies. It also adds new mandatory minimums for certain crimes involving interstate domestic violence and the provision of weapons to terrorists and prohibited countries.

Additionally, it creates a new five-year sentencing enhancement for trafficking of heroin laced with fentanyl.

In addition, the bill establishes recidivism reduction programs to help prepare low-risk inmates to successfully re-enter society.

Qualifying inmates may receive reductions to their sentences through time credits upon successful completion of recidivism reduction programming.

Our justice system demands consequences for those who choose to run afoul of the law, and law enforcement works hard to keep our communities safe. This bipartisan compromise ensures that these consequences fit their crimes by targeting violent and career criminals who prey on the innocent while giving nonviolent offenders with minimal criminal histories a better chance to become productive members of society.

This bill strikes the right balance of improving public safety and ensuring fairness in the criminal justice system.

Yesterday, Attorney General Sessions sent us a letter setting forth his views on the Sentencing Reform and Corrections Act. When I read his letter, it was almost as if Senator Sessions was back on the Judiciary Committee.

But that's the problem. He is now the Attorney General and is charged with executing the laws that Congress passes, not interfering with the legislative process. Certainly we value input from the Department of Justice, but if General Sessions wanted to be involved in marking up this legislation, maybe he should have quit his job and run for the Republican Senate seat in Alabama.

I've talked to Attorney General Sessions about this bill many times. He opposes the elimination of mandatory minimums, as do I. He believes in being tough on crime, and so do I.

But I also believe in being fair. This is a view shared by the last Republican Attorney General, Michael Mukasey, who testified in support of this bill last Congress. So we have one Republican Attorney General who thinks this bill is good policy, and one who has some concerns.

I also would note that the Committee has received a letter of support from a group called Law Enforcement Leaders to Reduce Crime & Incarceration. This group unites more than 200 current and former police chiefs, sheriffs, district attorneys, U.S. Attorneys, and attorneys general from all 50 states.

I'd like to quote from their letter.

“Today, our oversized prison population costs taxpayers billions annually and draws law enforcement resources away from apprehending violent offenders....This legislation would free funding and time for officers to focus on targeting and preventing violent crime, making our streets safer.”

Without objection, I'll enter this letter into the record along with two other letters. The first is from the Pew Charitable Trusts and describes how the state-level reforms this bill is based on have worked to protect public safety, hold offenders accountable, and cut costs. The second is from the Judicial Conference of the United States, and describes the strong support of the judiciary for many of the reforms in this bill.

This bill is good public policy. It is the result of years of careful negotiations. We've demonstrated that this bill has significant bipartisan support.

Twenty-two United States Senators are cosponsors, including more than half of the members of this committee. I look forward to continuing to work with the administration and the House on a legislative solution that the President can sign into law.