

April 23, 2019

The Honorable José E. Serrano  
Chair, Subcommittee on Commerce, Justice,  
Science & Related Agencies  
House Committee on Appropriations  
Capitol Building, H-310  
Washington, DC 20515

The Honorable Robert Aderholt  
Ranking Member, Subcommittee on  
Commerce, Justice, Science & Related Agencies  
House Committee on Appropriations  
1203 Longworth House Office Building  
Washington, DC 20515

The Honorable Jerry Moran  
Chair, Subcommittee on Commerce, Justice,  
Science & Related Agencies  
Senate Committee on Appropriations  
521 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Jeanne Shaheen  
Ranking Member, Senate Appropriations  
Subcommittee on Commerce, Justice, Science  
& Related Agencies  
506 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Serrano and Ranking Member Aderholt, Chairman Moran and Ranking Member Shaheen:

We, the undersigned national associations representing state and local policymakers, are writing to urge you to fully fund the First Step Act in the FY 2020 Commerce-Justice-Science Appropriations bill. Enacted in December 2018, the First Step Act aims to improve the federal criminal justice system by better aligning some sentencing laws with public safety priorities, providing judges greater flexibility in determining the appropriate sentence for individual defendants, and expanding recidivism reduction programming for individuals incarcerated in federal prisons.

Title I of the First Step Act requires the Attorney General to develop and implement a system whereby incarcerated individuals can participate in recidivism reduction programming and earn rewards, such as time credits toward pre-release custody, as well as phone and visiting privileges, among others. The law requires that the Attorney General develop a risk assessment tool that will be employed by the Bureau of Prisons to assess each individual's risk of reoffending and inform both programming assignments and reward determinations. The law also contemplates the creation of an independent review committee which will help the Attorney General develop and evaluate the tool.

As you know, a broad bipartisan coalition recognized that changes to the criminal justice system were needed and came together to help pass the First Step Act. There was particular consensus around the importance of starting efforts to reduce people's chances of reoffending upon release while still incarcerated. The system set forth in the First Step Act that incentivizes incarcerated individuals to

participate in programming that will reduce their risk of reoffending is important and has the laudable goal of improving public safety.

However, the Bureau of Prisons currently does not have a validated risk assessment tool for use in such a system or the capacity to provide the breadth of programming as set forth in the Act. In order to assist with implementation of the system created under the First Step Act, Title I is authorized at \$75 million. We write to request that it be funded at \$75 million in FY20 in order to allow the Attorney General to fully implement this title. Doing so would expand much-needed programming for incarcerated individuals and allow them to readily access it, thereby taking concrete steps toward rehabilitation.

The landmark First Step Act passed with overwhelming bipartisan support and represents the most significant change to the federal criminal justice system in two decades. The next step to fulfill Congress' intent is to fully fund the Act to make the reform a reality.

Sincerely,

*Kevin Kempf*

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Executive Director  
Association of State Correctional Administrators



Megan Quattlebaum  
Director  
The Council of State Governments Justice Center



Ellen Donnarumma  
President  
International Community Corrections Association



Chris Kervick  
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National Criminal Justice Association



Scott D. Pattison  
President and CEO  
National Governors Association