



December 17, 2018

Dear Members of Congress,

The National Council of the Churches of Christ in the USA (NCC), JustLeadershipUSA (JLUSA), College & Community Fellowship (CCF) and the [undersigned](#) member organizations and supporters write to express our joint opposition to the FIRST STEP Act (S.3694). Together we represent communities of faith, social justice advocates, civil rights, immigrant and human rights advocates, and directly impacted people across the country who are leading the way in overhauling the criminal legal system and re-envisioning justice in our communities. We support the comprehensive analysis of the bill outlining positive provisions, noting harmful provisions and listing recommendations presented in the [JLUSA letter submitted](#) on December 3, 2018 (copy attached).

We are unanimously committed to ending mass incarceration and treating all individuals with dignity and respect. The United States is home to 5% of the world's population and 25% of the world's incarcerated persons, making this the nation with the largest incarcerated population in the world - disproportionately impacting Native American, Black, and brown people including immigrants. Embedded racial bias and decades of a harmful and destructive war on drugs have led us to this point. We seek reforms that acknowledge the impacts of structural and systemic racism perpetuated by public policy. We envision system reforms that aim to correct past mistakes. We are coming together to advocate for comprehensive reforms that uphold equal justice, transparency, and an individual's humanity.

In reality, the desire for bipartisan support has resulted in a bill that falls far short of the comprehensive reform that this Congress had the opportunity to pass. Also, statements and claims in the media significantly overinflate the real impact that this legislation will have, including leaving far too many people behind. The bill will not create meaningful or substantial change, but more importantly, our joint opposition hinges on the significant expansion of harm.

The reliance on electronic monitoring, a provision in this bill, is an expansion of the carceral state that facilitates surveillance and must not be normalized. For those inside, the use of risk assessment tools, rather than individualized needs assessments, will create tiers of worthy and unworthy, denying support to those who need it most. Additionally, the latest version of the bill excludes people with fentanyl- and other drug-related charges from using earned time credits - a cruel move given that the war on drugs has been a significant factor contributing to the crisis of mass incarceration that has disproportionately impacted Black and brown communities. We

will not incarcerate our way out of the opioid crisis. Moreover, it is deeply unfortunate that this proposal reduces the bill's impact based upon one's immigration status and, at the same time, sets the precedent that immigrants are outside the scope of people who should benefit from criminal justice reform.

Congress must not pass legislation that reinforces already embedded racial prejudice and social-economic disparity ensuring that communities of color are disproportionately impacted by the criminal penal system. We are also gravely concerned with the provisions of the bill that authorize and even encourage privatization of certain public functions without any government accountability and oversight. This will only encourage and expand the already burgeoning for-profit prison industry.

We believe that every human being should be treated with dignity and respect. We believe that everyone is redeemable and is more than their worst action. We seek to build a justice system that focuses on rehabilitation, reconciliation and restoration and not a penal system that focuses primarily on punishment. As formerly incarcerated persons, civil rights, immigrant and human rights advocates, and communities of faith intricately and intimately connected to the community that is both inside and outside of the prison system, we urge you to step back and consider a true reformation bill.

As Bryan Stevenson has said, "We have to be willing to do things that are uncomfortable and inconvenient because justice doesn't come when you only do the things that are comfortable and convenient. We advance justice only when we're willing to do things that are uncomfortable." We stand ready to partner with you to envision a restorative justice system focused on preventing breach between persons and communities and on healing when one occurs.

Signatories

Individuals

Aundreia Alexander
Daryl V. Atkinson
DeAnna Hoskins
Donna Hylton
Eve Ensler
Jane Fonda
Jim Winkler
Norris Henderson
Reuben Jones
Vivian D. Nixon

Organizations

Advancement Project, National Office
African American Roundtable
American Friends Service Committee
A New PATH (Parents for Addiction Treatment & Healing)
Arab American Association of New York

Black Lives Matter Lansing/Michigan
Californians United for a Responsible Budget (CURB)
Carpenter and Mayfield
Center for NuLeadership on Urban Solutions
#CLOSEmsdf
College and Community Fellowship (CCF)
Crack Open the Door
Critical Resistance
Detention Watch Network
Detroit Justice Center
Dignity and Power Now
Empowering Pacific Islander Communities (EPIC)
End Solitary Santa Cruz County
Equity and Transformation (EAT)
Essie Justice Group
Fair Chance Project - FCP
Fair Shake
Families for Freedom
First Unitarian Society Social Justice Ministry, Madison, WI
Forum for Understanding Prisons (FFUP)
Forward Justice
Frontline Dads
Healing Communities USA
Hobart and William Smith Colleges
Homies Unidos
IDA Institute for Race and Justice
Immigrant Defense Project
Immigrant Legal Resource Center
Institute of the Black World 21st Century (IBW)
Interfaith Center on Corporate Responsibility
JusticeLA
JustLeadershipUSA (JLUSA)
Life Center Church, Inland Congregations United for Change
LatinoJustice PRLDEF
Legal Services for Prisoners with Children
Media Mobilizing Project
National Council of the Churches of Christ in the USA (NCC)
National Council on Independent Living
National Employment Law Project (NELP)
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Council for Incarcerated and Formerly Incarcerated Women and Girls
North Carolina Department of Public Safety
One Billion Rising
One by 1, Inc.
One Love Global

Philadelphia Bail Fund
Prison Action Milwaukee, Inc, (PAM)
Prison + Neighborhood Arts Project
Project NIA
Project Rebound, Cal State University, Fullerton
Puente Arizona
Region VI Coalition for Responsible Investment
Reynders, McVeigh Capital Management
Rid Racism Milwaukee
Samuel DeWitt Proctor Conference (SDPC)
Sisters of Saint Joseph of Chestnut Hill, Philadelphia
Starting Over, Inc.
Southeast Asia Resource Action Center
Southerners On New Ground
The Center for Returning Citizens
The Henderson Group
[The Movement for Black Lives Policy Table](#)
Transformative Justice Coalition
UndocuBlack Network
Unitarian Universalist Association
United We Dream
Urbana-Champaign Independent Media Center
VOTE- Voice of the Experienced
V-Day
Women & Justice Issues
Youth Justice Coalition

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