



Federal Legislative Priorities for FAMM's 2021 Agenda

1. End mandatory minimums

Every sentence should be individualized and proportionate. Mandatory minimums forbid judges the discretion to fashion sentences that account for the unique facts and circumstances of the crime and the history and characteristics of the defendant. There is no evidence that mandatory minimum sentences reduce crime, but ample data to prove that they cause disproportionate harm to communities of color. Congress should eliminate mandatory minimums and provide for retroactivity of the reform.

2. Make all provisions of the First Step Act retroactive

The First Step Act of 2018 included dozens of important reforms, including three that reduced mandatory minimum sentences, but only prospectively. Congress rejected these sentencing laws as unnecessarily harsh. It should now allow people sentenced before the reforms were passed to receive the same treatment as those who are sentenced today.

3. Completely eliminate the sentencing disparity between crack and powder cocaine

Federal mandatory minimums require the same harsh prison terms for selling one amount of crack cocaine and for selling 18 times the same amount of powder cocaine. This disparity is not based in science and has a racially discriminatory impact. Congress should eliminate the disparity and apply the reform retroactively so all people get fair punishments.

4. Establish an office of independent oversight over the Bureau of Prisons

The federal Bureau of Prisons is responsible for the custody and care of more than 150,000 people and yet operates almost completely in the dark. Taxpayers, including those with incarcerated loved ones, deserve greater transparency and accountability. Congress should establish an independent oversight body that can ensure the people who work and live in our federal prisons are being kept safe and treated with dignity.

5. Create a bold federal second look program

It's time our sentencing laws recognize people's capacity to change, and assess their potential to return home and contribute positively to our communities. No one is safer when people stay in prison longer than necessary. Congress should introduce and pass a "second look" law that allows courts, after a predetermined amount of time, to consider whether to shorten a person's sentence in light of rehabilitation and subsequent changes in law and policy.

