



FEDERAL: SECOND CHANCES AGENDA



THE PROBLEM – Long and Wasteful Sentences

Our federal justice system puts people in prison for far longer than is necessary or appropriate. While most of our country's prison population is incarcerated at the state level, the federal system is home to people serving some of our system's lengthiest and most wasteful sentences. Unlike in most states, there is no parole in the federal system. About a quarter of the federal prison population is serving sentences of at least 15 years without the chance of reprieve.

While Congress has made some recent notable changes to our sentencing laws, too often reforms are not made retroactive. When these reforms only impact future cases, many people are left to serve excessive and now outdated punishments.

Our federal approach is not guided by appropriately individualized sentencing. Instead, the reliance on long mandatory minimum sentences without relief creates significant and unintended negative consequences. This structure wastes money, exacerbates racial disparities, and deprives people who have made mistakes of any opportunities for redemption.

THE SOLUTION – Expand Opportunities for Second Chances

To fix this problem, Congress must reform sentencing laws to reduce the likelihood that a person will be sentenced to an unnecessarily severe prison term, and to create opportunities for review of sentences that will give people who have earned it a second chance at a free and productive life.

In the federal system, this can be accomplished in several ways.

- **Retroactive Sentencing Reform** – Repeal mandatory minimum laws, make reforms retroactive, and allow federal judges to impose individualized sentences given all of the available facts.
- **Pass “Second Look” Laws** – People change, mature, and rehabilitate. The law should reflect a belief in second chances and allow review of long sentences to ensure they are – or remain – appropriate.
- **Expand and Expedite Elderly Release and Compassionate Release** – Nearly one in five people in federal prisons is over age 50, and many more are chronically ill. Keeping these people incarcerated when they are not a threat to public safety is costly, unnecessary, and counterproductive.
- **Expand Executive Clemency** – Despite having broad clemency powers, presidents have not granted relief frequently enough, in part because the process has become increasingly bureaucratic. Commutations are necessary to mitigate injustice and provide second chances, and their use should be expanded considerably.

For more information, contact FAMM Director of Federal Legislative Affairs **Josh Mitman** at jmitman@FAMM.org.



1100 H Street NW, Suite 1000 • Washington, D.C. 20005



(202) 822-6700



www.famm.org