

Unitarian Universalist Association

April 15, 2014

Re: Pass the Smarter Sentencing Act, S. 1410

Dear Senator:

In coming weeks you will have an opportunity to improve fairness, limit racial disparity, protect public safety and help victims of crime by voting in favor of the Smarter Sentencing Act (S. 1410), sponsored by Senators Mike Lee (R-UT) and Richard Durbin (D-IL). The legislation is an incremental justice reform that would address the costly overcrowding crisis in the Bureau of Prisons by reducing excessive sentences for low-level drug offenses and by authorizing judicial review of cases sentenced under the old 100 to 1 crack cocaine sentencing disparity for possible resentencing. The Unitarian Universalist Association urges you to pass the Smarter Sentencing Act when it comes to the Senate floor for a vote and to join its bipartisan coalition of supporters as a cosponsor.



The Unitarian Universalist Association has over 1,000 congregations across the United States. Across the country, our members are engaged in ministries to prisoners and their families. Our clergy and lay leaders have spoken out and advocated for criminal justice and prison reform. In our 2005 Statement of Conscience on Criminal Justice and Prison Reform—a statement that was produced after four years of study by our congregations—we said:

As Unitarian Universalists, we are committed to affirming the inherent goodness and worth of each of us. As Americans, we take pride in our constitutional promise of liberty, equality, and justice for all, including those who have violated the law. Yet the incarceration rate in the United States is five- to tenfold that of other nations, even those without such a constitutional promise. Our corrections system is increasingly rife with inequitable sentencing, longer terms of detention, racial and ethnic profiling, and deplorable jail and prison conditions and treatment. The magnitude of injustice and inequity in this system stands in stark contrast to the values that our nation—and our faith—proclaim. We are compelled to witness this dissonance between what America proclaims for criminal justice and what America practices.

We are gravely concerned that overly punitive mandatory minimum sentences for drug offenses, passed by Congress nearly 30 years ago, have disproportionately and unfairly incarcerated people of color for low-level and nonviolent offenses.

Indeed, U.S. Sentencing Commission analysis concluded that drug mandatory minimum penalties “often apply more broadly than to just

24 Farnsworth Street, Boston MA 02210 | P (617) 742-2100 | F (617) 367-3237

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the high-level drug offenders that it appears Congress intended to target,” wrote Judge Patti B. Saris, Chair of the Sentencing Commission, in a November 2013 letter to the Senate Judiciary Committee. The Smarter Sentencing Act seeks to address this statutory overreach, and the bipartisan Commission has endorsed its provisions. The Commission has also testified before the Judiciary Committee that African American and Latino/a defendants constitute the majority of people subject to mandatory minimum sentences and existing opportunities for relief from them are less often available to African American defendants. Passage of the Smarter Sentencing Act would help restore fairness in our justice system by limiting this existing racial disparity.



The intensive pursuit, prosecution and incarceration of low-level drug cases has burdened the federal criminal justice system and led to an 800% increase in the federal prison population since 1980, even as crime rates across the country declined over a decade and then stabilized at historic lows. The federal prison system is the largest in the country and half of the population is incarcerated for a drug offense. These policy choices have had significant consequences. Today, the Bureau of Prisons consumes over 25% of the Department of Justice’s budget and this proportion will continue to grow if sentencing reforms are not enacted. At a time of significant belt tightening the high cost of prison allows for less money for other important programs, like services for victims, crime prevention and re-entry programs.

While we support passage of S. 1410’s provisions to reduce drug sentences we do not support new amendments added to the legislation to create mandatory sentences for other offenses. I urge you to support the Smarter Sentencing Act and protect it from additional amendments that harm the integrity of the bill.

I appreciate your time and consideration of S. 1410.

Sincerely,

A handwritten signature in black ink, appearing to read "Taquiena Boston".

Taquiena Boston
Director of Multicultural Growth and Witness
Unitarian Universalist Association