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*With Vision...By Faith...Through Action*

*Strengthening Churches...Empowering Leaders...Transforming Communities*

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*General Secretary  
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April 14, 2014

To: U.S. Senate  
Re: Smarter Sentencing Act (S. 1410)

The Samuel DeWitt Proctor Conference (SDPC) represents the African American faith community and its historical legacy, commitment and engagement in social justice issues. SDPC strongly supports and advocates for the reform of mandatory minimum sentences, we believe such reform is necessary for the movement forward to a more just and humane criminal justice system. SDPC has long been concerned about the disparate impact of mandatory minimum sentencing policies, such as crack cocaine and powder cocaine disparities, and we have long advocated for policies that end racial disparities in our criminal justice system.

In the coming weeks we will have an opportunity to improve justice, fairness, limit racial disparities, protect public safety and help victims of crime by voting in favor of the Smarter Sentencing Act. We believe that The Smarter Sentencing Act (S. 1410), sponsored by Senator Mike Lee (R-Utah) and Senator Richard Durbin (D-Illinois), is a modest first step in reforming our nation's broken sentencing policies. The bill affords our nation a new way forward to ensure the needed improvements for equity and fairness and limit racial disparities in the justice system while protecting public safety and assisting victims of crime.

There are many acclamatory provisions in the bill. The Smarter Sentencing Act proposes important reforms to mandatory minimum sentences by expanding current judicial sentencing options related specifically to non-violent drug offenses. The bill also permits reductions in mandatory minimum sentences for certain drug crimes and allows crack cocaine offenders to seek lighter sentences under the 2010 Fair Sentencing Act. However, we also want to be on record noting that the Committee's addition of three new categories of mandatory minimums in the amended bill is counterproductive. We continue to urge that the one-size-fits-all sentencing policies, such as mandatory minimums, are inadequate in addressing the complexities of crime and community safety.

We support the community's right to establish and enforce laws that protect people and advance the common good, but our faith teaches us that both victims and offenders have a God-given destiny, that calls for justice and restoration, not vengeance. Our recently released report, *Bearing Witness: A Nation in Chains*, documents the state of crisis and imbalance in our criminal justice system.

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The United States criminal justice system is the largest in the world and imprisons more people than any other nation. Although national incarceration rates have dropped over the past three years, the overall incarceration rate has increased 500 percent over the past thirty years. There are currently over 2.3 million people incarcerated in federal, state and local prisons and jails and seven million persons on probation or parole.

Rigid sentencing policies for non-violent and violent offenses are costly, ineffective and can be detrimental to the person, their families and communities. Incarceration plays a drastic factor in the break of familial and communal ties, creating more devastation and despair in particularly communities of color. Those who finally get out of incarceration face significant challenges upon reentering society that creates a continuous strain on the overall human dignity of a people, from housing, employment, education, health and the familial and communal ties.

Because of federal policies which don't address the overwhelming linkages of destruction connected to harsh sentencing of individuals, all too often, it is the Black Church who is forced to deal with the consequential collateral damages upon individuals, families and communities.

Our faith calls upon us to:

*Remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves were being tortured. Hebrews 13:3*

We submit that this nation needs a major paradigm shift in its understanding of what is happening in a "democracy" that is undergirded by a system of mass incarceration. We must acknowledge the human rights violations that are occurring under such a system and the possibilities for alternative ways of maintaining an effective and modern criminal justice system in a civil human society, one based on foundational principles of restorative justice and rehabilitation.

Though imperfect, the Sentencing Act of 2014 will help begin a long, overdue reform of our nation's ineffective and costly sentencing practices. Thank you for your consideration and movement forward.

Respectfully,



Iva E. Carruthers, PhD  
General Secretary  
The Samuel DeWitt Proctor Conference



Rev. Dr. Frederick D. Haynes  
Chairman, Board of Trustees  
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