



NATIONAL NARCOTIC OFFICERS' ASSOCIATIONS' COALITION

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May 22, 2018

The Honorable Charles Grassley
Chairman
The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

RE: FIRST STEP Act opposition

Dear Chairman Grassley and Ranking Member Feinstein:

As President of the National Narcotic Officers' Associations' Coalition, I am writing to you to express our membership's dismay and frustration with provisions in the FIRST STEP Act that the House has passed. There is little, if anything, in the proposed legislation that will actually improve public safety or the security of our communities.

We are shocked that Congress and some in the Administration are going out of their way to help those who have continually sought to harm our society. Our members risk their lives every day - and many have given their lives - to take the same offenders out of communities that some provisions of the FIRST STEP Act and other "reform" proposals seek to put back into communities. These offenders - including drug traffickers - are **not** victims.

According to CDC statistics, more Americans died from drug poisonings between 2003 and 2016 than the number of Americans who died in World War II, Korea, Viet Nam, Iraq and Afghanistan *combined*. And yet, some politicians and reformers assert that drug trafficking is a "non-violent" offense? Drug trafficking is literally killing us from within. But because housing federal prisoners "costs too much" we are going to accelerate reforms and let out more significant traffickers?

Offenders who end up in federal prison do not get there easily. Through their disregard for our laws, they have proven that they have not accepted the rules of our society. This is not just our opinion. Look at the facts: according to our governments' statistics, the recidivism rate for federal drug offenders is about 50% and even higher for state drug offenders. Over the past decade, sentencing policy changes and prison reforms have already reduced prison populations to focus incarceration on the "worst of the worst". If the FIRST STEP Act is enacted, more of the "worst" will get released and be rewarded with more privileges.

Offenders are never held accountable for all of the crimes they commit, only the ones for which they are caught and prosecuted. Those who make the argument that reducing incarceration will save taxpayers a lot of money

do not seem to grasp the costs of re-investigating, re-arresting and re-prosecuting the majority of offenders that will continue their life of crime. They should also realize the enormous economic losses and social costs that negatively impact our consumers and taxpayers. And, while improving the quality and availability of diversion, probation, parole and supervised release programs is needed, the existence of each of these programs has not reduced the sky-high rate of recidivism.

When you start to calculate and consider the real cost of crime, not only in dollars, but also human lives, you will realize that incarcerating recidivists and violent offenders - keeping them off of our streets - is a bargain. As Congress has debated the merits of the FIRST STEP Act, we have not heard any thoughts on how much money is ***too much*** to spend to ensure safe communities and to prevent tens of thousands of our citizens from becoming the victims of drug traffickers, gang members, and other violent criminals.

It is time for Congress to truly listen to law enforcement. NNOAC members are in the trenches every day. We know what happens when policy supports aggressive enforcement of laws, swift prosecution and lengthy, mandatory sentences for violent crimes and repeat offenders. We also know what happens when policy discourages aggressive enforcement and tough sentences. From what we have seen in the latest version of the FIRST STEP Act, we are heading down the wrong path if the objective is improving public safety. For example:

- FIRST STEP legislation would likely result in near-term release of an estimated 4,000 federal prisoners, many of whom are drug traffickers that can give no proof of rehabilitation. In the midst of the current drug epidemic crisis, we do not need more experienced drug dealers on the streets.
- FIRST STEP would bring certain offenders closer to their bases of criminal operations by imposing a maximum distance for housing. That will make it harder to keep gang violence from escalating in our prisons, directly impacting the safety of prison employees and staff who already have a difficult job.
- FIRST STEP would make heroin and fentanyl traffickers - responsible for dealing death - eligible for good time credits that could enable them to reenter society significantly before their sentence is served.

Our NNOAC members, many of our law enforcement partners, and the law-abiding American public believe that one of our government's primary responsibilities is to protect us and keep our neighborhoods and communities safe. The FIRST STEP Act does neither.

Sincerely,



Bob Bushman
NNOAC President