



2016 POLITICAL ACTION PROJECT

During NEW Leadership™ New Jersey, you will be divided into small groups to work on the political action project. This is a role playing exercise that will require you to research a current public policy issue and work with your group to prepare a presentation. Each person in the group must participate in the presentation on Tuesday.

The topic for this year is Criminal Justice Reform. In 2015, a bipartisan group of senators introduced the **Sentencing Reform and Corrections Act**, intended to address the problem of mass incarceration rates in our country. Among the Republicans and Democrats who came together to cosponsor this bill was New Jersey's own Senator Cory Booker.

The Sentencing Reform and Corrections Act is designed to restore judicial discretion and authority, reduce many mandatory minimum sentences, and reduce the federal prison population. It is a large and complex bill that addresses many issues including judicial discretion, recidivism, juvenile offenders, and racial disparity in prison populations.

For the purposes of the action project assignment, we will use a modified and edited version of the bill created by CAWP staff. The **NEWL Sentencing Reform and Corrections Act of 2016** is a significantly scaled down version of the Sentencing Reform and Corrections Act S. 2123 as amended April 28, 2016.

The action project will involve several skill-building aspects:

- Working in a group across differences
- Researching an issue
- Identifying constituencies, coalition partners, opponents and allies
- Crafting a message to articulate your group's position
- Preparing an issue brief or press release
- Making a presentation to encourage support for your position

Action Project schedule:

- Saturday morning, June 11: Receive your group assignment.
- Sunday morning, June 12: Meet with your group and begin developing a message and strategy.
- Sunday afternoon, June 12: Consult with policy experts, work in groups
- Monday evening, June 13: Complete your presentation
- Tuesday morning, June 14: Action Project presentations

As you proceed with this exercise, please keep the following in mind:

The Action Project is a role-playing exercise. Each of you will portray an individual who has a stake in this issue. Think about the following questions: *Who are you? Who do you represent? Why do you care about this issue? Why should decision makers care about your opinion?*

This is a learning experience. You may find that you are assigned to a group that takes a position or approach that you would not take in “real life.” It is important, especially in politics, to understand the perspectives and strategies of your opposition.

Treat one another with respect. People are likely to articulate arguments and use research that they don’t necessarily support. Although you may disagree with the opinion expressed, please remember to show respect for the individual.

Use the skills and contributions of each group member. As you conduct research, hone your message and organize your presentation, remember to use the skills of all group members. Everyone has a something to contribute. Often we want to play to people’s strengths, but it is also important to encourage people to try something new and take risks.

Be creative! Use your imagination and have fun!

The final presentations for the Action Project will take place Tuesday morning, June 14, 9:30 – 11:30 am at the Ruth Dill Johnson Crockett Building

Presentations on Tuesday morning will take two forms:

Press Conference on the Washington Mall

Groups 4 and 5 will participate in a press conference in support of the bill. Each group will have 10 minutes to present their statement at the press conference and answer questions from the press. Members of the Eagleton Institute of Politics/CAWP staff will act as members of the press and ask questions.

Committee Hearing:

Group 1 students will serve as members of the U. S. Senate Judiciary Committee. The Committee will hold a hearing on the proposed bill. The committee chair will open the hearing and take testimony from groups 2 and 3. At the end of hearing the committee will vote on whether to send the bill to the U.S. Senate.

Groups 2 and 3 will testify before the committee. Each group will have 10 minutes to present testimony at the hearing. Group 1 (senators) will have 10 minutes to ask questions of each group testifying.

Action Project Group Assignments:

Group 1 Assignment – Senate Judiciary Committee

You are members of the U.S. Senate Judiciary Committee. You will be holding a hearing on the NEWL Sentencing Reform and Corrections Act of 2016, which is designed to restore judicial discretion and authority, reduce many mandatory minimum sentences and reduce the federal prison population. The NEWL SRCA, created by CAWP staff is a significantly scaled down version of the Sentencing Reform and Corrections Act (S. 2123) as amended April 28, 2016.

Group 2: Supporters of the NEWL Sentencing Reform and Corrections Act of 2016

You are a group of organizations that are in favor of the NEWL Sentencing Reform and Corrections Act of 2016. You will testify at a public hearing before the Senate Judiciary Committee. Your group will have 10 minutes to present compelling testimony that will convince the committee to vote in favor of the NEWL Act. The committee will have 10 minutes to ask questions of each group after the testimony. You will also prepare a 1-page policy brief to handout at the committee hearing.

Group 3: Opponents of the NEWL Sentencing Reform and Corrections Act of 2016

You are members of a coalition that opposes the NEWL Sentencing Reform and Corrections Act of 2016. You will testify at a public hearing before the Senate Judiciary Committee. Your group will have 10 minutes to present compelling testimony that will convince the committee to vote against the NEWL Act. The committee will have 10 minutes to ask questions of each group after the testimony. You will also prepare a 1-page policy brief to hand out prior to the committee hearing.

Group 4: Press Conference in Support of the NEWL Act

Your group will hold a press conference in front of the Capitol Building to support the NEWL Sentencing Reform and Corrections Act of 2016. You are allies of Group 2, who will be testifying before the committee at the hearing. Your goal is to draw attention to your issue and gain support for the NEWL Act. You will have 10 minutes to present your statement and 5 minutes to answer questions posed by the press corps (represented by Eagleton/CAWP faculty and staff). You must prepare a 1 page press release to hand out on Tuesday morning. You may also prepare signs, banners, or other props for your press event.

Group 5: Press Conference in Opposition to the NEWL Act

Your group will hold a press conference in front of the Capitol Building in opposition to the NEWL Sentencing Reform and Corrections Act. You are allies of Group 3, who will be testifying before the committee hearing. Your goal is to draw attention to your issue and promote opposition for the NEWL Act. You will have 10 minutes to present your statement and 5 minutes to answer questions posed by the press corps (represented by Eagleton/CAWP faculty and staff). You must prepare a 1 page press release to hand out on Tuesday morning. You may also prepare signs, banners, or other props for your press event.

NEWL SENTENCING REFORM AND CORRECTIONS ACT OF 2016

- ξ End the “three strikes rule” which required a mandatory minimum sentence of life without parole for those convicted of a third drug offense. The bill would also reduce many mandatory minimum sentences including:
 - Reducing the sentence from life without parole to 25 years for third drug offense.
 - Reduce the mandatory minimum sentence for second drug offense from 20-years to 15-years.
 - Reduce the minimum for the second or subsequent offense of possessing guns in the course of drug trafficking from 25-years to 15-years.

- ξ Create a “safety valve” for drug offenders facing 10-year mandatory minimum sentences to restore some discretion for judges to take into account the history, character, and criminal record of the individual and determine whether the mandatory minimum should apply if:
 - They do not have a prior conviction for a “serious drug felony” or a “serious violent felony”; and
 - Did not play a leadership role in the offense; and
 - Did not exercise substantial authority or control over the criminal activity of a criminal organization, or act as an importer or exporter, high-level distributor or supplier, wholesaler, or manufacturer; and
 - Did not use or possess a gun.

- ξ Make the Fair Sentencing Act of 2010 retroactive. The FSA was passed unanimously by Congress in 2010 to reduce a racially discriminatory disparity between crack and powder cocaine mandatory minimum sentences. Prisoners sentenced for crimes involving crack cocaine before August 2010 can petition the courts for a review of their sentence. Sentence reductions may only be granted after a full review of each prisoner’s case by the U.S. Attorney’s office and the approval of a federal court.

- ξ Creates new mandatory minimum sentences:
 - Applies 25-year mandatory minimum sentences for drug offenses to those who have a prior “serious violent felony.”
 - Applies 15-year mandatory minimum sentences for gun possession in the course of a drug trafficking or violent crime to those who have a prior state crime of violence conviction that included gun possession, brandishing, or discharge.
 - Creates new 10-year mandatory minimum sentence for interstate domestic violence resulting in death.
 - Creates new 5-year mandatory minimum sentence for providing certain weapons or aid to terrorists.
 - Increases mandatory minimum sentences by 5 years for drug offenses involving the drug, fentanyl.

- ξ Requires Bureau of Prisons to use a risk assessment tool to categorize prisoners as being at high, medium, or low risk of reoffending

- ξ Allows first-time offenders and/or offenders without previous criminal history to complete recidivism-reduction programs for time credits towards their sentences or for a transfer to prerelease custody, such as residential reentry center, home confinement, or community supervision.

- ξ Requires an annual report by the Attorney General outlining how savings accrued from modifications to federal sentencing will be reinvested toward efforts by law enforcement to go after drug traffickers and gangs, crime prevention, and to hire, train, and equip law enforcement officers.

The NEWL Sentencing Reform and Corrections Act of 2016 was created by CAWP staff. This bill is a significantly scaled down version of the Sentencing Reform and Corrections Act (S. 2123) as amended, April 28, 2016.

The original Sentencing Reform and Corrections Act of was introduced October 1, 2015, by Senate Judiciary Committee Chairman Chuck Grassley (R-IA) and Senators Richard Durbin (D-IL), Mike Lee (R-UT), John Cornyn (R-TX), Sheldon Whitehouse (D-RI), Lindsey Graham (R-SC), Chuck Schumer (D-NY), Patrick Leahy (D-VT), and Cory Booker (D-NJ).

The original Sentencing Reform and Corrections Act was approved by Senate Judiciary Committee on October 22, 2015. Revisions to the bill were introduced by lawmakers on April 28, 2016. With these amendments, the bill must go back to the Committee. The Sentencing Reform and Corrections Act is a large and complex bill that addresses many issues including judicial discretion, recidivism, juvenile offenders, mandatory minimum sentences, and reducing the federal prison population. The bipartisan bill aims to balance public safety and security with the concern over prison overcrowding and racial disparity in sentencing as well as prison populations.

What the Sentencing Reform bill does not do:

Neither the NEW Leadership™ bill nor Senate bill S.2123 will eliminate mandatory minimum sentences, nor do they address issues of drug and alcohol abuse or the many problems of re-entry.

- The bill does not end all mandatory sentences. Current mandatory sentences are reduced, and in some cases by only modest amounts.
- The bill does not make all, or even most, reduced mandatory sentences retroactive. Only a small proportion of people who were sentenced under the previous mandatory minimums will have the opportunity to petition the court to have their cases reviewed, and their sentence reduced in line with the new law.
- The bill allows judges to exercise some judgment about the relative culpability of defendants who appear in their courts, but it does not even out all sentencing so that more serious crimes are necessarily met with heavier sentences.
- The bill does not establish any funding for assistance to persons with mental illnesses or addictions or develop services or programs to aid with job training or re-entry.
- Many prisoners are excluded from earning or using their credits for sentence reduction or to transfer to a different type of supervision, such as a halfway house.
- The drafters of the bill cannot predict the eventual impact of this legislation on racial disparities in the criminal justice system or the prison population.