

# Paul, Leahy, Massie & Scott Lead Bipartisan, Bicameral Introduction of the Justice Safety Valve Act

## Bill to Ensure Sentences Consider Mitigating Factors in Appropriate Cases

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**WASHINGTON, D.C.** - Today, Senator Rand Paul (R-KY), Senator Patrick Leahy (D-VT), Representative Thomas Massie (R-KY), and Representative Bobby Scott (D-VA) introduced the Justice Safety Valve Act (S. 353/H.R. 706) in the Senate and House of Representatives. The Justice Safety Valve Act would give federal judges the ability to impose sentences below mandatory minimums in appropriate cases based upon mitigating factors.

"Since mandatory sentencing began, America's prison population has quadrupled, to 2.4 million. America now jails a higher percentage of its citizens than any other country due to mandatory minimum sentences. These sentences disproportionately affect minorities and low-income communities, while doing little to keep us safe. The federal government should get out of the way, and allow local and state judges to do their jobs. We must work hard in a bipartisan fashion to change these laws," Sen. Paul said.

"Over the last several decades politicians have added more and more mandatory minimum sentences to our criminal laws because they make for a good 'tough on crime' message. But the truth is they do not make our communities safer and they are breaking the bank. They mean we send too many people to prison for far longer than is needed to keep us safe. Each time we do that we waste tens of thousands of taxpayer dollars, and we keep families apart. It is time we stop this irrational approach to sentencing, which is one of the reasons why we have the largest prison population in the world. Something has gone very wrong and our laws must change. This bill offers a simple solution. Get politicians out of the way and let judges judge," Sen. Leahy said.

"The one-size-fits-all approach of federally mandated minimums does not give judges the latitude they need to ensure that punishments fit the crimes. As a result, nonviolent offenders are sometimes given excessive sentences," said Rep. Massie. "Furthermore, public safety can be compromised because violent offenders are released from our nation's overcrowded prisons to make room for nonviolent offenders."

"Mandatory minimum sentences have been studied extensively and have been found to distort rational sentencing systems, discriminate against minorities, waste money, and often require a judge to impose sentences that violate common sense," stated Rep. Scott. "To add insult to injury, studies have shown that mandatory minimum sentences fail to reduce crime. Our bill will give discretion back to federal judges so that they can consider all the facts, issues, and circumstances before sentencing."

Mandatory minimums force federal judges to issue indiscriminate punishments, regardless of involvement, criminal history, mental health, addiction, and other mitigating factors. The Justice Safety Valve Act would apply the current "safety valve" provision to all federal crimes, allowing federal judges to tailor sentences on a case-by-case basis. Such judicial discretion would go a long way in helping to reduce the bloated federal prison population while also ensuring sentences fit the circumstances of the crime.

This landmark bipartisan, bicameral legislation would restore proportionality, fairness, and rationality to federal sentencing. It would also reduce the overcrowding in federal facilities, which are currently operating at between 35-50% above their rated capacity, posing risks to both inmates and officers. Lastly, it would reduce correctional spending, which currently accounts for almost a third of the Department of Justice's annual budget. Every dollar spent on corrections is one that deprives the Department of Justice's ability to fund victim services, state and local law enforcement, staffing, investigation, and prosecution.

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