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October 27, 2016

The Honorable Mitch McConnell
Senate Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

Dear Majority Leader McConnell:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership to promote and protect the civil and human rights of all persons in the United States, and the undersigned civil rights organizations we write to express our deep disappointment that you have not moved bipartisan sentencing reform. We strongly urge you to bring it to a floor vote during the lame duck session. This legislation is an important first step toward addressing some of the racial disparities that have persisted in the federal criminal justice system, as well as the exorbitant cost to the taxpayers caused by the unsustainable and unnecessary growth in the federal prison population.

One year ago, the Senate Judiciary Committee, in exemplary bipartisan fashion, passed sentencing reform legislation that would ease the excessive and racially disparate mandatory minimum sentences for federal drug offenses. The resulting legislation, the bipartisan Sentencing Reform and Corrections Act (S. 2123), is a critical first step to ensuring a fair and proportional federal criminal justice system.

As is often reported, you attended the historic 1964 March on Washington for Jobs and Freedom, witnessed Dr. Martin Luther King Jr.'s inspirational "I Have A Dream" speech, and even urged your fellow students at the University of Louisville to become more involved in the civil rights movement.¹ Forty-nine years later, you commemorated Dr. King with words of appreciation, as well as acknowledgement of the work still to be accomplished in the field of civil rights:

"Through his stirring words and fearless witness, Dr. Martin Luther King roused a nation to finish the work of its founding, and as long as the struggle for justice continues the legacy of Dr. King will endure. Today, all Americans celebrate the birth of this great man and his necessary work. We recommit ourselves to building a society in which racism and injustice are overcome by trust and mutual respect."²

As you prepared to assume the role of Senate Majority Leader in 2014, you told CNN, "It's undeniable there's been remarkable progress for African-Americans in this country... But obviously we still have a long way to go."³ When asked about the criminal justice system specifically, you explained, "I think we're not happy with where we are, but we just have to keep working on it."⁴

We hope that your words and experiences over the last fifty years have been a down payment on a commitment to civil rights. By bringing up the S.2123 for a vote, you will demonstrate a firm commitment to the advancement of civil rights, not only in words but



also in action.

This is not a partisan issue. From the beginning of the current session, members from both sides of the aisle and in both houses have come forth with proposals for criminal justice reform. The Sentencing Reform and Corrections Act, introduced by Judiciary Chairman Chuck Grassley (R-IA), is sponsored by the majority and minority whips, and is co-sponsored by another 19 Democrats and 16 Republicans. The bill is a shining example of the way Congress is *supposed to work*: lawmaking through careful negotiation and compromise for the betterment of our country. This bill reduces mandatory minimum sentences for certain nonviolent drug offenses, and would result in the release of an estimated 12,000 individuals. This bill could do a great deal to reunite families, reintroduce citizens into the workforce, and ease our bloated and expensive prison system. The bill is not perfect, but we hope that more people currently incarcerated will benefit from these reforms which attempt to promote fairness in the justice system.

Furthermore, S. 2123 is critical to communities of color. African Americans have suffered disproportionately from our nation's past sentencing mistakes, with Black men making up 13 percent of the overall population but 40 percent of the prison population. The Leadership Conference believes that by helping to reduce lengthy prison sentences for certain non-violent drug offenses and providing those currently incarcerated with the opportunity to petition the court for a reduction in their sentence, this bill will serve as a powerful tool to help ensure justice and equality moving forward, and become a launching pad for other necessary reforms in the future.

For the benefit of our communities and our nation as a whole, we urge you to bring S 2123 up to a vote during the lame duck session. If you have any questions, please feel free to contact Sakira Cook at cook@civilrights.org or (202) 263-2894 or Leslie Paluch at paluch@civilrights.org or (202) 263-2853.

Sincerely,

The Leadership Conference on Civil and Human Rights
Joint Center for Political and Economic Studies
Lawyers' Committee for Civil Rights Under Law
NAACP
NAACP Legal Defense and Educational Fund

¹ Steinhauer, Jennifer. "Mitch McConnell's Commitment to Civil Rights Sets Him Apart." *New York Times*. July 10, 2015. <http://www.nytimes.com/2015/07/11/us/politics/mitch-mcconnell-republicans-civil-rights.html>.

² "Dr. Martin Luther King, Jr." *Press Release from the Office of Senator Mitch McConnell*. Jan. 21, 2013. <http://www.mcconnell.senate.gov/public/index.cfm/2013/1/dr-martin-luther-king-jr>.

³ Bradner, Eric. "McConnell: Race relations have 'gotten better' under Obama." *CNN Politics*. Dec. 8, 2014. <http://www.cnn.com/2014/12/08/politics/mcconnell-on-race-relations/>.

⁴ *Ibid*.