



(SAFE) Justice Act & Law Enforcement

The Safe, Accountable, Fair, and Effective (SAFE) Justice Act

The SAFE Justice Act is bi-partisan legislation introduced by **Congressmen Jim Sensenbrenner (R-WI) and Bobby Scott (D-VA)** that puts lessons learned in the states to work at the federal level. The legislation protects public safety and reins in escalating corrections costs by –

- ✓ Curtailing overcriminalization – requires public disclosure of regulatory criminal offenses; allows victims of regulatory over-criminalization to contact the inspector general; limits the extent to which acquitted, discharged, and uncharged conduct can be considered in court; and eliminates federal criminal penalties for simple drug possession in state jurisdictions.
- ✓ Increasing use of evidence-based sentencing alternatives – expands eligibility for pre-judgment probation; promotes greater use of probation for lower-level offenders; and encourages judicial districts to open drug, veteran, mental health and other problem solving courts.
- ✓ Concentrating prison space on violent and career criminals – restores original Congressional intent by defining the role an offender plays in a trafficking organization and targeting higher-level traffickers for mandatory minimums; eliminates life sentences for drug trafficking; allows eligible offenders to petition for resentencing under new trafficking laws; modestly expands the drug trafficking safety valve; targets recidivist mandatory minimum enhancements on series recidivist offending; and expands compassionate release mechanisms for lower-risk geriatric and terminally-ill offenders.
- ✓ Reducing recidivism – expands earned time to encourage more inmates to participate in individualized case plans designed to reduce their likelihood of reoffending; seeks to boost success rates of offenders on probation and post-prison supervision by mandating swift, certain and graduated sanctions for violations and offering credits for those who are compliant; creates a performance-incentive funding program; creates mental health and de-escalation training programs for prison personnel; and mandates the use of performance-based contracting for half-way houses.
- ✓ Increasing government transparency and accountability – requires fiscal impact statements for future sentencing and corrections proposals; requires sentencing cost analyses to be disclosed in pre-sentencing reports; establishes a federal defender representative as a nonvoting member of

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the U.S. Sentencing Commission; requires the calculation of good time as Congress intended; requires federal agencies to report key statistics annually on corrections populations and recidivism rates, among other indicators; and encourages prison savings to be invested in strengthening safety measures for law enforcement.

Law Enforcement Reinvestment

This legislation would take an estimated \$2 billion in cost savings and reinvest it in SAFE law enforcement activities. Allowable uses for the funding falls into four categories:

✓ **Officer Safety and Wellness:**

- Individual tactical first-aid kits
- Funding for body armor
- Pepper spray for correctional officers
- National toll-free mental health hotline for officers
- Mental health and other support services for law enforcement and corrections officers
- Annual fitness, resilience, nutrition and mental health check
- Research on work duration and high-stress scenarios
- Developing best practices on body worn cameras

✓ **Mental Health and Substance Abuse Training:**

- Research and training in de-escalation techniques and non-lethal technologies;
- Training to provide medication assisted treatment to individuals with substance addiction disorders
- Funding to hire social workers and psychiatrists for prisons

✓ **Leadership Training:**

- Providing funding for state and local law enforcement leaders to attend the FBI National Academy
- Establishment of a national center to advance training and knowledge on mental health issues within the criminal justice system
- Funding to provide and expand hiring and retention incentives for officers with undergraduate and graduate degrees

✓ **Critical Incident Resources:**

- A nationwide “blue alert” warning system
- National center to coordinate with federal, state and local law enforcement on a “near miss database” to better capture, study and disseminate lessons-learned and a critical incident review center.
- Counseling and support to family members of officers who killed in the line of duty
- National “officer involved shooting database”
- Funding and training on community-based policing techniques