



National Association of Assistant United States Attorneys

For Immediate Release

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Statement on the FIRST STEP Act, H.R. 5682

Lawrence Leiser, president of the National Association of Assistant United States Attorneys, issued this statement:

The National Association of Assistant United States Attorneys (NAAUSA), which represents our nation's federal prosecutors, is committed to protecting the public safety and ensuring that our system of criminal justice is fairly and appropriately applied to all our citizens, including those that are currently serving federal sentences based upon statutes that have been created by the Congress and sentences that have been imposed by our federal judges. We believe that the FIRST STEP Act, as approved by the House Judiciary Committee on May 9, 2018, fails to meet those objectives.

Prisons have four major purposes: punishment, incapacitation, deterrence and rehabilitation. None of these purposes are fundamentally served by the FIRST STEP Act. In fact, most of what has been proposed in the bill has been tried at the state level and has failed to reduce the recidivism rate to the current federal rate based upon the "gold standard" of rearrests after being released for three years. Why would the federal government want to pursue programs that do no better than our current federal system? The proposed bill proposes the immediate release of an estimated 4,000 federal prisoners, including major drug traffickers. Appropriate punishment, incapacitation and deterrence will not be served by these failed state programs, and crime on our nation's streets, including drug trafficking, will likely increase as a result. The FIRST STEP Act is largely an unproven step backward in federal prison policy, not a step ahead.

Assistant United States Attorneys will gladly embrace and support any proven program that advances public safety by reducing recidivism. The FIRST STEP Act, relies upon the conduct of programs invalidated and unassessed by any federal entities, including the Government Accountability Office and the Bureau of Prisons, as to their merits and costs. We believe that responsible public policy-making in this area requires study and validation of any new prison reform initiative, followed by testing for a limited time on an experimental basis, with close monitoring of costs and effectiveness, prior to nationwide implementation.

Rising crime rates and an opioid/heroin epidemic that is killing tens of thousands of our citizens every year should remain the focus of our resources, with renewed attention to the deterrence of those choosing to commit acts of fraud, violence, and selling of poisonous drugs for profit. We remain committed to the support of legislative proposals that prevent crime and violence, promote rehabilitation in just and compassionate ways, and assist the reentry of federal prisoners as engaged, contributing members of their communities.

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The National Association of Assistant United States Attorneys is a national professional association representing the interests of Assistant United States Attorneys employed by the Department of Justice. Assistant United States Attorneys are the career-level federal law enforcement officers in the 94 United States Attorney Offices responsible for federal criminal prosecutions and civil cases involving the United States Government.