The Case for the Safe Justice Act

By Josiah Hemp

***Resolved: The United States Federal Government should significantly reform its policies regarding convicted prisoners under federal jurisdiction***

Case Summary: This plan passes the Safe Justice Act, a bill proposed in Congress but never enacted. The SAFE Justice Act is a comprehensive criminal justice reform bill. It does a wide variety of things (see the card from Bobby Scott after the plan text), but the two things this case focuses on is reducing overcrowding and recidivism, two major problems in the federal prison system.

The SAFE Justice Act is based on reforms that were first put into place in Texas in 2007 and have since been used in South Carolina, Georgia, and other locations. If you decide to run this case, make sure that you are familiar with what these reforms entailed and the common criticisms of these laws. This basis in state law is helpful because it means that we have examples of a similar reform working, thus we can argue effectively for solvency.

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Case Title: Safe Justice Act

Federal Prisons are overcrowded, and do a poor job of ensuring that inmates will not turn around and commit crimes again when they are released. These problems are harmful to America. They hurt prisoners, fail to prevent crime, and cost taxpayers. Thus, we ask you to affirm that: The United States Federal Government should significantly reform its policies regarding convicted prisoners under federal jurisdiction.

OBSERVATION 1. DEFINITIONS

Convicted

Cambridge Dictionary copyright 2021. <https://dictionary.cambridge.org/us/dictionary/english/convicted> (Accessed August 30, 2021)

having officially been found guilty of a crime in a law court:

Prisoner

Collins Dictionary copyright 2021, <https://www.collinsdictionary.com/us/dictionary/english/prisoner> (Accessed August 30, 2021)

A prisoner is a person who is kept in a prison as a punishment for a crime that they have committed.

Policy

Merriam-Webster online dictionary copyright 2021. https://www.merriam-webster.com/dictionary/policy

a high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body

OBSERVATION 2. INHERENCY, the structure of the Status Quo. Two key FACTS

FACT 1. Mass incarceration

Doug Stanglin 2020 (journalist) 3 July 2020 USA TODAY “Fact check: 1994 crime bill did not bring mass incarceration of Black Americans” <https://www.usatoday.com/story/news/factcheck/2020/07/03/fact-check-1994-crime-bill-didnt-bring-mass-incarceration-black-people/3250210001/> (accessed 27 Sept 2021) (note on authors intent: the author does not deny that mass incarceration happens, he denies that the 1994 crime bill caused a mass incarceration of Black Americans – he says there were other causes that were more significant) (brackets added)

[board member of the National Association of Criminal Defense Lawyers, Stephen] Johnson argues that the roots of mass incarceration can be found in the late 1960s and early 1970s, with legislation that created, among other things, the RICO statute, which broadened the scope of federal law as the war on drugs began to take shape. The veteran criminal defense attorney, who founded the Tennessee Innocence Project,  contends that mass incarceration also got a boost from a series of bills in the 1980s that created presumptive detention for federal arrestees.

FACT 2. Getting worse. The federal prison population is rising

Samantha Michaels 2021. (journalist) “Biden Said He’d Cut Incarceration in Half. So Far, the Federal Prison Population Is Growing” <https://www.motherjones.com/crime-justice/2021/07/biden-said-hed-cut-incarceration-in-half-so-far-the-federal-prison-population-is-growing/> (accessed 27 Sept 2021)

Yet if Biden is serious, he should look at the numbers in federal prisons, which aren’t trending in his favor. The day after his inauguration, more than 151,000 people were incarcerated in these prisons; today, more than 154,000 are. This increase “strikes me as pretty significant,” Douglas A. Berman, a law professor at the Ohio State University, [wrote recently](https://sentencing.typepad.com/sentencing_law_and_policy/2021/07/federal-prison-population-starting-to-grow-again-as-we-approach-six-months-into-biden-administration.html).

FACT 3. Inadequate responses to recidivism and reintegration for ex-offenders

The R Street Institute, 2018. (Non-profit, non-partisan public policy research organization that promotes free markets and limited, effective government.) Letter to the House Judiciary Committee. February 23, 2018. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/R-Street-Letter-Safe-Justice-Act.pdf> (Accessed August 25, 2021).

“All stages of the criminal process are in need of reform, from how we define offenses and charge crimes to how we sentence and rehabilitate offenders. Our jails and prisons are overburdened with too many individuals who are often incarcerated for too long. This places a heavy toll not only on the individuals incarcerated and their families, but also on our society at large and limited government budgets. Similarly, our community corrections systems are used too infrequently as an alternative to incarceration. They are also in desperate need of additional resources and evidence-based strategies for reintegrating ex-offenders back into the community.”

OBSERVATION 3. HARMS

HARM 1. Sickness & Death

Crowded prisons lead to sickness and death

Emily Widra, 2020 (a 2017 graduate of the Smith College School of Social Work. Full time staffer at Prison Policy Initiative). “Since you asked: Just how overcrowded were prisons before the pandemic, and at this time of social distancing, how overcrowded are they now?” Prison Policy Initiative, December 21, 2020. <https://www.prisonpolicy.org/blog/2020/12/21/overcrowding/> (Accessed August 25, 2021)

Prison overcrowding has always been a serious problem, correlated with increased violence, lack of adequate health care, limited programming and educational opportunities, and reduced visitation. But during the current pandemic, overcrowded prisons — and even prisons operating at levels approaching capacity — are more deadly than ever. **[UNQUOTE]** In a recent study of Texas prison capacity, COVID infection rates, and mortality, researchers found that prisons holding between 94 and 102% of their capacity had higher infection rates and more deaths than prisons operating at 85% of their total capacity, suggesting that a prison’s crowdedness correlates with viral spread. This makes sense when we consider that many state and local governments have mandated restaurants, retail spaces, and schools to operate at a reduced capacity to slow the spread of COVID-19 through communities.

**[LATER IN THE SAME ARTICLE, SHE WRITES]**

Throughout the country, states and the federal system have failed to carry out major prison reductions, leaving prisons operating at, close to, or even above their stated capacities. This contributes to deadly outcomes, as close quarters and high rates of preexisting health conditions among incarcerated people exacerbate the crisis behind bars. As a result, our crowded state and federal prisons have a COVID-19 case rate four times higher, and a death rate twice as high as in the general population.

HARM 2. Mental health

Crowded prisons cause mental health problems and violence

Penal Reform International (International NGO that promotes criminal justice reform and human rights) No Date, “Overcrowding” <https://www.penalreform.org/issues/prison-conditions/key-facts/overcrowding/> Accessed August 26, 2021.

“Overcrowding, as well as related problems such as lack of privacy, can also cause or exacerbate mental health problems, and increase rates of violence, self-harm and suicide.”

HARM 3. High Recidivism

A. The Problem: Over 60% of federal violent offenders recidivate

United States Sentencing Commission, 2019. “RECIDIVISM AMONG FEDERAL VIOLENT OFFENDERS” January 24, 2019. <https://www.ussc.gov/research/research-reports/recidivism-among-federal-violent-offenders> (Accessed August 28, 2021)

Violent offenders recidivated at a higher rate than non-violent offenders. Over 60 percent (63.8%) of violent offenders recidivated by being rearrested for a new crime or for a violation of supervision conditions. This compares to less than 40 percent (39.8%) of non-violent offenders who were rearrested during the follow-up period.

B. The Impact: Massive social costs. Reducing recidivism would reduce its burden substantially

Council of Economic Advisers 2018. (part of the Executive Office of the President of the U.S.) May 2018 Returns on Investments in Recidivism-reducing Programs <https://trumpwhitehouse.archives.gov/wp-content/uploads/2018/05/Returns-on-Investments-in-Recidivism-Reducing-Programs.pdf> (accessed 27 Sept 2021)

Crime imposes a high fiscal burden as well as large social costs. In 2016, the United States spent over $270 billion (1.4 percent of GDP) funding the criminal justice system and maintaining prisons while real spending on prisons has grown by 70 percent over the last 20 years (CEA 2016). In addition, victims and society at large have incurred significant costs from crime in terms of pain and suffering, reduced quality of life, property losses, medical costs, and loss of life. Communities often bear the cost of crime in the form of lower property values, reduced business investment, and lost economic opportunity. Altogether, the damages imposed upon society represented an additional 1.5 percent of GDP in 2014 (CEA 2016). The cost of funding the criminal justice system plus the costs imposed by crime are equivalent to 2.9 percent of GDP (roughly $500 billion). The large social costs of crime are partly attributable to the high probability that prisoners exiting State and Federal facilities will commit crimes after leaving prison. More than three-quarters of State offenders are re-arrested within five years of release (Bureau of Justice Statistics, 2016) and approximately 50 percent of released Federal prisoners will be re-arrested (United States Sentencing Commission, 2016) within 10 years of release. Thus, efforts to reduce the recidivism rate for former prisoners could substantially lower the burden of crime in the United States.

OBSERVATION 4. We offer the following PLAN implemented by Congress and the President

1. Congress passes and the President signs H.R. 4261, the SAFE Justice Act of 2017.

2. Funding and enforcement through normal means, as specified by the bill.
3. Timeline: Plan takes effect one day after an affirmative ballot.
4. All Affirmative speeches may clarify

OBSERVATION 5. The ADVANTAGES. The SAFE Justice Act significantly reduces the Harms.

**We see this in 2 subpoints:**

A. It reduces crowding and recidivism

Rep. Bobby Scott 2017 (D-Virginia; sponsor of the SAFE Justice Act). (article is undated but references materials published in Sept 2017) “SAFE Justice Act.” <https://bobbyscott.house.gov/SAFEJusticeAct> (Accessed August 28, 2021).

The SAFE Justice Act will:

Reduce recidivism by –

incentivizing completion of evidence-based prison programming and activities through expanded earned time credits;

implementing swift, certain, and proportionate sanctions for violations of supervision; and

offering credits for compliance with the conditions of supervision.

Concentrate prison space on violent and career criminals by  –

focusing mandatory minimum sentences on leaders and supervisors of drug trafficking organizations;

safely expanding the drug trafficking safety valve (an exception to mandatory minimums) for qualified offenders; and

creating release valves for lower-risk geriatric and terminally-ill offenders.

B. Proven to work, based on Texas experience

David H. Safavian, 2018. (Deputy Director, Center for Criminal Justice Reform, American Conservative Union Foundation, one of the oldest conservative grassroots organizations. MBA from Loyola University Maryland, master’s of law (LL.M) in taxation from the Georgetown Univ. Law Center, a juris doctorate (magna cum laude) from the Michigan State Univ (Detroit College of Law) Letter to Congress. February 7, 2018. American Conservative Union Foundation. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/ACU%20Letter.pdf> (Accessed August 28, 2021)

Texas has demonstrated that these principles are not merely theoretical. The reforms enacted a decade ago have achieved unassailable results. By prioritizing bed space for truly dangerous offenders, Texas did not have to build four new prisons to help with overcrowding, thus saving $2 billion in capital expenditures. In addition, Texas has closed four more prisons, saving $49.5 million in operating costs each year. By funding drug treatment and anti-recidivism programming, the Lone Star State has cut recidivism by 14%, while the crime rate has dropped by 29%-to a level not seen since 1968. By all measures, Texas is safer, even though it is spending much less on corrections.

The SAFE Justice Act is a comprehensive overhaul to the justice system that shares some similarities with the “Texas model.” It reserves costly prison space for our most serious criminals, strengthens the probation and post-release supervision systems, and expands the use of programs that have been proven to cut recidivism. It increases mental health services and drug treatment, encourages faith-based and community groups to work with inmates to teach them such important items as job skills, family reconciliation, and making moral decisions. And it encourages our corrections system to better utilize mentoring to help offenders think through the decisions that will confront them when they leave prison.

Some say that these types of reforms will not work in the federal system because the inmate population overseen by the U.S. Bureau of Prisons is different than those of most state departments of corrections. Those skeptics are correct insofar as the federal prison population *is* different from those in the states. State prisons tend to be filled with more violent offenders (who are more prone to recidivate), while nearly half of all federal offenders are incarcerated for non-violent crimes (who tend to have a lower recidivism rate). There is no doubt that applying similar reforms to the federal system that have been proven effective in the states—as the SAFE Justice Act would do—will bring forth positive results.

2A Evidence: SAFE Justice Act

OPENING QUOTES / AFF PHILOSOPHY

 SAFE Justice Act is a common sense approach to improve the justice system

The R Street Institute, 2018. (Non-profit, non-partisan public policy research organization.) Letter to the House Judiciary Committee. February 23, 2018. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/R-Street-Letter-Safe-Justice-Act.pdf> (Accessed September 22, 2021).

Systemic reform is a tall order, but the SAFE Justice Act makes admirable strides in the right direction. The Act’s common sense approach to improving our criminal justice system deserves bipartisan support. We encourage the Judiciary Committee to mark up this legislation and work in a bipartisan manner to further improve and advance its reforms.

TOPICALITY

Plan is BASED on the Texas Reforms; it is broader than that

Our evidence says that our plan is based on the Texas reforms, but that does not mean that our plan is as narrow as the Texas reforms were.

SJA is “comprehensive reform”

National Police Foundation copyright 2016. “SAFE Justice Act introduced with support from Police Foundation” <https://www.policefoundation.org/safe-justice-act-introduced-with-support-from-police-foundation/> (accessed September 21, 2021)

“The Police Foundation has joined in support of the Safe, Accountable, Fair and Effective (SAFE) Justice Act, a comprehensive criminal justice reform bill that would overhaul the federal sentencing and corrections system, as well as provide a wide range of reforms for law enforcement. The bill was introduced by Congressmen James Sensenbrenner (R-WI) and Bobby Scott (D-VA).”

SJA is an 150-page bill—it is a significant (and long) piece of legislation

Text of HR4261 on official website of Congress 2017. “115th Congress, 1ST SESSION H. R. 4261” NOVEMBER 6, 2017 <https://www.congress.gov/115/bills/hr4261/BILLS-115hr4261ih.pdf> (Accessed September 21, 2021).



INHERENCY

Federal prison policy is failing

David H. Safavian, 2018. (Deputy Director, Center for Criminal Justice Reform, American Conservative Union Foundation). Letter to Congress. February 7, 2018. American Conservative Union Foundation. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/ACU%20Letter.pdf> (Accessed August 28, 2021)

“There is no doubt that the current approach to criminal justice system is failing every American. Between 1980 and 2013, our federal prison population jumped nearly 800 percent, from roughly 23,000 to more than 215,000 inmates. The average length of federal sentences has doubled during the same period. Not surprisingly, prison costs have also skyrocketed; Americans now spend nearly as much on federal prisons—$6.7 billion—as they spent on the entire Justice Department in 1980, after adjusting for inflation. This spending growth has shortchanged other important crime-fighting priorities, including counterterrorism initiatives, anti-gang activities, violent crime task forces, and victim’s services. It is no surprise that the Department of Justice’s Inspector General has called these increasing expenditures for prisons “unsustainable.”

A/T “First Step Act Solved”

First Step Act Insufficient

Kara Gotsch, 2019. (Deputy Director of the Sentencing Project. MPA from University of Maryland.) “One Year After the First Step Act: Mixed Outcomes.” The Sentencing Project. December 17, 2019. <https://www.sentencingproject.org/publications/one-year-after-the-first-step-act/> (accessed September 21, 2021)

The First Step Act has a broad constituency of supporters that stretches from the White House to prison corridors. Many years of advocacy, negotiations and compromise resulted in its passage in 2018, and it has undoubtedly helped many people. However, it will not provide the systemic change necessary to undue the harm caused by decades of mass incarceration at the federal level fueled by mandatory minimums and federal prosecutors’ focus on extreme punishments for street-level crime. It is long overdue to take the next steps on the road to reform.

Problems persist after the First Step Act

Emily Widra, 2020 (a 2017 graduate of the Smith College School of Social Work. Full time staffer at Prison Policy Initiative). “Since you asked: Just how overcrowded were prisons before the pandemic, and at this time of social distancing, how overcrowded are they now?” Prison Policy Initiative, December 21, 2020. <https://www.prisonpolicy.org/blog/2020/12/21/overcrowding/> (Accessed September 21, 2021)

Before the pandemic, nine state prison systems and the BOP were operating at 100% capacity or more. These prison systems were holding more people than their facilities were designed to house. Now, 10 months into the pandemic, we find that there are still far too many people crowded into prisons across the country. Despite the ongoing pandemic, and efforts to reduce the number of people behind bars, we calculated that 41 states are currently operating at 75% or more of their capacity, with at least nine of those state prison systems and the federal Bureau of Prisons are still operating at more than 100%. Only one state — Maine — has a current prison population below 50% of their capacity.

HARMS / SIGNIFICANCE

A/T “Federal Government Better Than States”

The Federal Bureau of Prisons is Operating at 103% of Capacity

We can’t show you a chart, but we can describe what it says and make it available to the Negative team and the Judge if they want to look at it. Emily Widra in 2020 published a chart called “Gauging Overcrowding in State Prison Systems during the Pandemic.” On one line of the chart, she also lists the federal system and describes it as “Current operating level based on lowest reported capacity 103%” and “Current operating level based on highest reported capacity 103%” and “As of this date Dec 3, 2020”.

 Emily Widra, 2020 (a 2017 graduate of the Smith College School of Social Work. Full time staffer at Prison Policy Initiative). “Since you asked: Just how overcrowded were prisons before the pandemic, and at this time of social distancing, how overcrowded are they now?” Prison Policy Initiative, 21 Dec 2020. <https://www.prisonpolicy.org/blog/2020/12/21/overcrowding/> (Accessed August 25, 2021)



On overcrowding, Federal prison is worse compared to a lot of states

 Emily Widra, 2020 (graduate of the Smith College School of Social Work. Full time staffer at Prison Policy Initiative). “Since you asked: Just how overcrowded were prisons before the pandemic, and at this time of social distancing, how overcrowded are they now?” Prison Policy Initiative, December 21, 2020. <https://www.prisonpolicy.org/blog/2020/12/21/overcrowding/> (Accessed September 21, 2021)

Compare this to evidence about federal prison overcrowding

…which we already proved was 103%

Better than states is not good enough

Being not as bad as someone else is not an excuse for failing to solve problems. Even if the Federal Government is doing better than the states, we should still try to improve Federal prison policy.

SOLVENCY / ADVOCACY / ADVANTAGES

Text of the bill is here

<https://www.congress.gov/115/bills/hr4261/BILLS-115hr4261ih.pdf>

It’s 150 pages long, so you may or may not want to print it out. In an online round, you could always send the PDF file to the NEG if they demand to see a copy of the bill. In an in-person round, if you didn’t print it out, you can refer them to the summary in the 1AC and advise them there’s no way they’d have time to read 150 pages during prep time. If NEG complains about that, refer back to the definition of “Policy” in the 1AC. It’s a “high level overall plan” not 150 pages of details. All you need to do is prove the advantages of a high level overall plan to win the round as an Affirmative.

The SAFE Justice Act is based on evidence from the state level

Marc H. Morial, 2017 (President and Chief Executive Officer National Urban League. Former mayor of New Orleans; graduate of Univ of Pennsylvania with a degree in Economics and African American Studies; law degree from Georgetown Univ.) Letter to Representatives Bobby Scott and Jason Lewis. December 7, 2017. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/National%20Urban%20League%20Letter.pdf> (Accessed August 28, 2021).

The SAFE Justice Act’s approach is based on evidence from state prison reform. This bipartisan bill takes a comprehensive approach at both the front end and back end of mass incarceration and is grounded in evidence-based lessons learned in the states that have been innovative in reducing incarceration, saving money, and reinvesting in programs to reduce crime and recidivism.

A/T “Texas Reforms Were Because of Parole Boards”—Texas reforms involved those boards

Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative. “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

Back-end reforms were no less substantial, and equally important. While examining drivers of prison growth, lawmakers discovered that the Board of Pardons and Paroles had been paroling offenders at a lower-than possible clip because they lacked confidence that inmates were receiving necessary treatment in prison. The Board was also revoking a growing number of parolees because they had few other options. In fact, thousands of inmates approved for parole had to be wait-listed for either halfway houses or in-prison treatment programs. The result? Overflowing prisons. So lawmakers filled the gap, adding 2,700 substance abuse treatment beds behind bars, 1,400 new intermediate sanction beds (a short-term program for those offenders who commit technical violations), and 300 halfway-house beds. They also capped parole caseloads at 75 to ensure closer supervision.

Crowding reductions: Prisons successfully closed as a result of the Texas reforms

Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative) “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

For a state system that had previously responded to capacity shortfalls by simply building new prisons, these reforms were a paradigm shift—and have exceeded expectations, both for public safety and cost control. Not only has the state averted the need to construct thousands of new prison beds and bolstered confidence in alternatives, but for the first time in its history, Texas is closing facilities: four adult units have been shuttered already, with an additional four slated for closure with the signature of the 2018-2019 budget into law.

A/T “Texas convicts still locked up in other places”—these alternatives to traditional prison led to long term safety and rehabilitation

Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative. “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

In 2007, almost 16 percent of probationers failed and were revoked to prison. This figure fell to 14.7 percent by 2015. Thus, as more nonviolent offenders were diverted to community supervision instead of prison, probation success rates climbed. This likely stemmed from several factors, namely improved supervision— for instance, the use of graduated sanctions such as curfews to promote compliance—and court officials’ assessment that many of these individuals could succeed given the right resources in the community.

Less Parole Violations Due to Texas Reforms

Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative) “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

The gains in parole are even more impressive: Even with 11,000 more people on parole today than in 2007, more than 17 percent fewer crimes are being alleged against parolees now than previously.

Crime Rate Has Decreased in Texas

Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative). “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

And crime rates? Nationwide, the index crime rate fell 20 percent between 2007 and 2014. In Texas, it fell 26 percent. Even more impressively, this occurred while its general population increased and its number of prisons decreased. Simply put, crime and incarceration can be addressed at the same time, and Texas (and other southern conservative states) have proven it.

It also worked in SC and GA

Policy Analyst Michael Haugen, 2017. (policy analyst at the Texas Public Policy Foundation and its Right on Crime initiative. ) “TEN YEARS OF CRIMINAL JUSTICE REFORM” Veritas, a publication of the Texas Public Policy Foundation, July 2017. [https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?\_gl=1\*d2gepb\*\_ga\*MjczMTM0MDcxLjE2MzIyNTM5MDI.\*\_ga\_PY28GXYGQP\*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA](https://files.texaspolicy.com/uploads/2018/11/30101022/2017-Veritas-Issue2-July-forweb.pdf?_gl=1*d2gepb*_ga*MjczMTM0MDcxLjE2MzIyNTM5MDI.*_ga_PY28GXYGQP*MTYzMjI1OTk4My4yLjAuMTYzMjI1OTk4My42MA) (accessed September 21, 2021).

Thanks in part to Right on Crime’s efforts since its inception, many other states have realized the enormous value and effectiveness of those reforms, especially in light of similar budgetary or capacity constraints that Texas experienced. In 2010, South Carolina passed a justice reinvestment package along the same vein of Texas’ after lawmakers faced that ol’ familiar pickle: change course, or face unacceptable prison population growth. The results? Again, similar to Texas. The number of inmates has since fallen to under 21,000, and instead of building new prisons, the state has closed six of them—saving $33 million in operating costs. In 2012, Georgia passed comprehensive adult corrections reforms in an attempt to avert expected population growth. Between 2011 and 2014, the state eliminated virtually all of its previous backlog of newly-sentenced offenders into prison and saved more than $25 million. Over the same period, its violent and property crime rate fell 8 percent, according to the Pew Charitable Trusts.

DISAD RESPONSES

A/T “Dangerous Criminals Released” - Good Time Credits do not apply to homicides, terrorism, or sex offenses

Text of the SAFE Justice Act 2017. “115th Congress, 1ST SESSION H. R. 4261” NOVEMBER 6, 2017 <https://www.congress.gov/115/bills/hr4261/BILLS-115hr4261ih.pdf> (Accessed September 21, 2021). Pages 91-92.

13 ‘‘(C) EXCLUSIONS.—No credit shall be

14 awarded under this paragraph to any prisoner

15 serving a sentence of imprisonment for convic16 tion for any of the following offenses:

17 ‘‘(i) A Federal conviction for homicide

18 in which the prisoner was proven beyond a

19 reasonable doubt to have had the intent to

20 cause death and death resulted.

21 ‘‘(ii) A Federal crime of terrorism, as

22 defined under section 2332b(g)(5).

23 ‘‘(iii) A Federal sex offense, as de24 scribed in section 111 of the Sex Offender

1 Registration and Notification Act (42

2 U.S.C. 16911).

A/T Masking Disad - Right On Crime is a reliable source - Part of the Texas Public Policy Foundation

Right On Crime copyright 2021 (article undated) “About Right On Crime” <https://rightoncrime.com/about/> (accessed 21 Sept 2021).

Right on Crime is a national campaign of the Texas Public Policy Foundation, in partnership with the American Conservative Union Foundation and Prison Fellowship, that supports conservative solutions for reducing crime, restoring victims, reforming offenders, and lowering taxpayer costs. The movement was born in Texas in 2007, and in recent years, dozens of states such as Georgia, Ohio, Kentucky, Mississippi, Oklahoma, and Louisiana, have led the way in implementing conservative criminal justice reforms.

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The Original Sponsors of the SJA: a Democrat and a Republican

Rep. Bobby Scott 2017 (D-Virginia; sponsor of the SAFE Justice Act). (article is undated but references materials published in Sept 2017) “SAFE Justice Act.” <https://bobbyscott.house.gov/SAFEJusticeAct> (Accessed August 28, 2021).

The Safe, Accountable, Fair, and Effective (SAFE) Justice Act, introduced with Congressman Jason Lewis (R-MN), takes a broad-based approach to improving the federal sentencing and corrections system, from front-end sentencing reform to back-end release policies. It is also the first bill that addresses the federal supervision system – ensuring that probation does a better job stopping the revolving door at federal prisons. The legislation, which is inspired by the successes of states across the country, will reduce recidivism, concentrate prison space on violent and career criminals, increase the use of evidence-based alternatives to incarceration, curtail over-criminalization, reduce crime, and save money.

SAFE Justice Act is endorsed by the National Urban League

Marc H. Morial, 2017 (President and Chief Executive Officer National Urban League. Former Mayor of New Orleans . Graduate of Univ of Pennsylvania with a degree in Economics and African American Studies; law degree from Georgetown Univ) Letter to Representatives Bobby Scott and Jason Lewis. 7 Dec 2017. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/National%20Urban%20League%20Letter.pdf> (Accessed August 28, 2021).

As President and CEO of the National Urban League, and on behalf of its 88 affiliates representing 300 communities in 36 states and the District of Columbia that offer direct services to more than 2 million people to enter the economic and social mainstream, I am writing to express our strong support for the Safe, Accountable, Fair, and Effective (SAFE) Justice Act (H.R.4261). This bipartisan bill takes a comprehensive approach at both the front end and back end of mass incarceration and is grounded in evidence-based lessons learned in the states that have been innovative in reducing incarceration, saving money, and reinvesting in programs to reduce crime and recidivism.

The National Urban League is…

“Mission and History” National Urban League, no date. <https://nul.org/mission-and-history> (Accessed September 21, 2021)

The National Urban League is a historic civil rights organization dedicated to economic empowerment, equality, and social justice. Founded in 1910 and headquartered in New York City, the Urban League collaborates at the national and local levels with community leaders, policymakers, and corporate partners to elevate the standards of living for African Americans and other historically underserved groups.

[END QUOTE. THEY GO ON LATER IN THE ARTICLE TO WRITE QUOTE:]

Our Mission: To help African-Americans and others in underserved communities achieve their highest true social parity, economic self- reliance, power, and civil rights. The League promotes economic empowerment through education and job training, housing and community development, workforce development, entrepreneurship, health, and quality of life.

The NAACP endorsed the SAFE Justice Act

John Bowden 2017 (journalist) “Bipartisan duo offer criminal justice reform legislation” The Hill. 7 Sept 2017 <https://thehill.com/homenews/house/359122-reps-look-to-scale-back-criminal-justice-system-with-bipartisan-legislation> (Accessed September 21, 2021).

The bill, called the Safe, Accountable, Fair, and Effective (SAFE) Justice Act, is supported by a wide range of groups from the NAACP to the Tea Party group FreedomWorks. It has also been cosponsored by several lawmakers from both parties, including Reps. John Conyers Jr. (D-Mich.), Mia Love (R-Utah), Sheila Jackson Lee (D-Texas), Carlos Curbelo (R-Fla.), Eleanor Holmes Norton (D-D.C.) and Brian Fitzpatrick (R-Pa.). "The SAFE Justice Act will bring long-overdue sentencing reforms that will ensure prisons are reserved for violent and career criminals. It also proposes corrections reforms designed to reduce recidivism and enhance public safety," wrote FreedomWorks's Vice President for Legislative Affairs Jason Pye. “I strongly commend the bipartisan efforts of Congressmen Bobby Scott and Jason Lewis to introduce the SAFE Justice Act,” added the NAACP's Washington D.C. director Hilary Shelton.

American Conservative Union Foundation says: No doubt SJA would work at the federal level based on state success

David H. Safavian, 2018. (Deputy Director, Center for Criminal Justice Reform, American Conservative Union Foundation, one of the oldest conservative grassroots organizations. Safavian has an MBA from Loyola University Maryland, a master’s of law (LL.M) in taxation from the Georgetown Univ Law Center, a juris doctorate (magna cum laude) from the Michigan State University (Detroit College of Law), and a bachelor’s degree in political science from St. Louis University.). Letter to Congress. February 7, 2018. American Conservative Union Foundation. <https://bobbyscott.house.gov/sites/bobbyscott.house.gov/files/ACU%20Letter.pdf> (Accessed September 22, 2021)



A/T Rising Crime in Texas

The Texas reforms our plan references were in 2007. To argue that rising crime in 2021 in Texas is a result of the 2007 reforms is quite a stretch. Just because the 2007 reforms were good, that does not mean no more reform will ever be needed.

 A/T “Overmedication”—mental health *services* are not the same as medicine

Our evidence did say that our plan will improve mental health services in prison, but it did not say that it would increase the use of medication in such situations. Thus the disadvantage will not necessarily occur as a result of our plan.