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Andrew Clark
President, Generation Opportunity

November 18, 2015

The Honorable Bob Goodlatte, Chairman
The Honorable John Conyers, Jr., Ranking Member
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers,

Generation Opportunity supports comprehensive reform to the U.S. criminal justice system. Excessive laws and harsh sentencing disproportionately affect young Americans: Millennials make up nearly 40 percent of the federal inmate population and half of state prison populations. Congress should adopt policies that reduce overcriminalization and create pathways to opportunity for young Americans who deserve a second chance.

The U.S. House Committee on the Judiciary introduced several bills that provide solutions. These legislative reforms promote a fair system of justice where rising overcriminalization is curbed and taxpayer dollars are saved. Among the package of bills introduced, several deserve to be highlighted:

H.R. 3713: The Sentencing Reform Act of 2015

Longer sentences have not always coincided with an increase in public safety. Harsh mandatory minimum sentencing removes discretion from judges and forces inmates to serve extended time behind bars. Along with expanding the safety valve, the Sentencing Reform Act takes a step forward to reduce certain sentences as well as make portions of the Fair Sentencing Act of 2010 retroactive. These reforms could help current and future prisoners by ensuring the punishment fits the crime.

H.R. 4002: The Criminal Code Improvement Act of 2015

This bill accomplishes two important goals: 1) It strengthens criminal intent requirements in federal statutes, and 2) creates an online list of all criminal laws. The first reform is uniquely important since criminal intent, or *mens rea*, distinguishes between an innocent and guilty mind. This bill ensures that every federal criminal statute includes a criminal intent provision.

The second reform is equally significant. Americans should know what the law is. Unfortunately, even the Congressional Research Service was unable to produce a complete list of all criminal laws (the last best count was around 5,000). Under the Criminal Code Improvement Act, the U.S. Attorney General is required to publish a list and index of all criminal laws and make it free online for the public to easily access.

H.R. 4003: The Regulatory Reporting Act of 2015

Regulatory agencies should not create new crimes without proper oversight from Congress. With almost 500 federal agencies in existence and 300,000 implementing regulations on the books, the need for transparency is greater than ever. The Regulatory Reporting Act requires all agencies to submit a list of every regulation that carries a criminal penalty to the House and Senate Committees on the Judiciary, explain why the penalty is needed, why a civil fine would not suffice, and what the mental state is for each offense. Such reform would provide much-needed accountability to regulatory agencies.

Conclusion

Criminal justice reform is an issue that has gained bipartisan support, and it is encouraging to see both sides coming together to enact meaningful change to our justice system. No single bill can address every issue, but after years of growth in the federal prison system, we should be hopeful for a change. Generation Opportunity supports these bills.

Respectfully submitted,

Andrew Clark