Dear Mr. President,

We write to urge you to oppose the Senate version of the First Step Act that lessens the penalty for trafficking fentanyl and heroin. We were thankful for your recent messages that are slowing this legislation down too.¹

As conservatives, we know that people respond to incentives. Reducing the punishment for trafficking fentanyl and heroin will increase the incentive to commit the crime. One of President Reagan’s greatest triumphs was his tough-on-crime policies that led to the largest drop in crime in our nation’s history. Along with an increased number of police, longer sentences for criminals helped lead to a dramatic decline in crime.²

Despite what the proponents of soft-on-crime policies like criminal leniency suggest, the data is clear and confirmed by common-sense: taking criminals off the streets reduces the rate of crime.

Now, a leniency-industrial complex is urging you to support a bill that would reduce the sentences for federal drug traffickers, and allow large numbers of those same traffickers to “serve” their sentences outside prison in “home confinement.”

Mr. President, don’t do it. Trust your instincts. America seems, to many of us, to be plagued with different applications of justice. The public is losing faith in the rule of law and reforms are needed. But, here are just four of many reasons why you should oppose this emerging new bill.

**First**, we are in the midst of a drug crisis. 72,000 Americans died of overdoses last year, mostly from fentanyl and heroin. In one year, more Americans were poisoned from drugs than died in the entire Vietnam war. Mr. President, you have correctly declared this crisis a Health Emergency. If you put more fentanyl traffickers on the streets—which this legislation would do—you will have countered the good work your Administration has done on this front.

**Second**, supporting this bill would separate you from law enforcement. Law enforcement believes that this legislation is naïve and dangerous. For example, the National Association of Assistant United States Attorneys—the people who prosecute heroin traffickers—described this bill as “a fraud upon the public” because it will “cripple law enforcement’s ability” to keep the public safe.³

The National Sheriff’s Association says that “this is a dangerous path to follow.” These public servants are among your strongest supporters, and we urge you to listen to them instead of Sally Yates, the ACLU, Hillary Clinton, and Eric Holder.

**Third,** after a Prison Reform bill passed the House on May 22nd, additions and modifications are being made in an undemocratic process of smoke-filled rooms, rather than “regular order.” No new modified bill has been formally introduced, offered for expert testimony at a subcommittee level, full committee hearings, and then made open to robust floor debates with amendments made in order. There has been too little transparency, too few public hearings, and an abominable precedent of legislating in the dark of night to make America’s laws.

**Fourth,** supporting this legislation would be a massive political mistake. Proponents of leniency for drug traffickers produce biased polls alleging that the American people support, in the abstract, criminal justice “reform,” and prison “reform.” These polls are based on misleading terms like “low-level, nonviolent drug offenders,” conjuring up images of drug users rather than the serious drug traffickers that are prosecuted in the federal criminal justice system. We, too, support real prison reform, as opposed to broad jailbreak masquerading as reform.

But this bill is not prison reform—it’s prison release. It’s not sentencing reform—it’s sentencing reductions. Contrary to what jailbreak supporters tell you, these policies are far from popular. Proponents inadvertently acknowledge how unpopular their proposals are by disguising what they’re doing with buzzwords and abstract concepts.

When asked whether America has too many drug traffickers in prison for too long, or that we don’t do enough to keep drug traffickers off the streets, Americans answered nearly 2-1 that we are not doing enough to keep drug traffickers off the streets. Only 14 percent of Americans said that we are “too tough on crime.” As of last October, 68 percent of Americans said there is more crime today than there was a year ago. And 78 percent of Americans worry a great or fair amount about crime and violence.

Today, all too many criminals who are released go on to commit more crime. If you support this legislation, every time a fentanyl trafficker or murderer is released into home confinement, or to

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6 ACLU statement on The Sentencing Reform and Corrections Act (February 14, 2018), retrieved from https://www.aclu.org/news/aclu-comment-sentencing-reform-senate-committee-vote
7 The Office of Hillary Rodham Clinton, Hillary for America policy proposal on criminal justice reform, retrieved from https://www.hillaryclinton.com/issues/criminal-justice-reform/
the street, and that criminal goes on to commit another crime, you will be blamed. It doesn’t save money—it costs lives.

For more of the numerous reasons that this legislation is dangerous for law-abiding citizens, we ask that you meet with the police officers, prosecutors, sheriffs, narcotics officers and representatives of victims who oppose this dangerous legislation.

Standing with law enforcement and law-abiding Americans against the criminals and drug traffickers who are flooding our communities with deadly poisons has been one of your hallmark rallying cries. We have been with you on that cry.

Mr. President, we ask that you oppose this dangerous piece of legislation.

Your allies, respectfully,
(Affiliations For Identification Only)

Star Parker
President
Center for Urban Renewal & Education

David A. Clarke Jr.
Sheriff(ret)/Chair of American Law and Culture
Capital Research Center

Frank Gaffney
President
Center for Security Policy

Everett Piper, Ph.D.
President
Oklahoma Wesleyan University

Eunie Smith
President
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Daniel Horowitz
Senior Editor
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Paul Mirengoff
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Philip B. Haney
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Rick Manning
President
Americans for Limited Government

Sandy Rios
Director of Governmental Affairs
American Family Association

Maria Espinoza
National Director & Co-Founder
The Remembrance Project

Kelly Kullberg
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Evangelicals for Biblical Immigration (EBI)

Dran Reese
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