

REVISED First Step Act, S. 3649

The revised First Step Act is bipartisan sentencing and prison reform legislation that is cosponsored by 34 Senators and supported by President Trump and a broad spectrum of stakeholders, including the Fraternal Order of Police, the National District Attorneys Association, and the ACLU.

Sentencing Reforms

- ***Expands the Safety Valve:*** Allows judges to sentence below the mandatory minimum for qualified low-level nonviolent drug offenders who cooperate with the government.
- ***Retroactive Application of Fair Sentencing Act (FSA):*** Allows individuals still serving sentences under the pre-FSA 100-to-1 crack-powder sentencing disparity to petition for sentence reductions.
- ***Reforms Unfair Two-Strikes and Three-Strikes Laws:*** Reduces the 2nd strike mandatory minimum of 20 years to 15 years, and reduces the 3rd strike mandatory minimum of life in prison to 25 years.
- ***Eliminates 924(c) “stacking”:*** Ensures that sentencing enhancements for repeat offenses apply only to true repeat offenders by clarifying enhancements cannot unfairly be “stacked,” i.e., applied to conduct within the same indictment.

Prison Reforms

- ***Good Time Credit Fix:*** Revises the good-time credit law to accurately reflect congressional intent by allowing all federal prisoners to earn 54 days of credit per year, rather than 47 days.
- ***New Earned Time Credit:*** For every 30 days of recidivism-reduction programming or productive activities an eligible prisoner completes, the prisoner will earn 10 days of time credit (plus five additional days for lower risk prisoners) towards early placement in a halfway house, home confinement, or up to one year of supervised release.
- ***Independent Review Committee:*** Establishes an Independent Review Committee of outside experts to assist in developing, reviewing, and validating the risk and needs assessment system.
- ***Pregnant Prisoners and Feminine Healthcare Products:*** Prohibits shackling pregnant prisoners and requires healthcare products be provided to incarcerated women.
- ***Facilitates Family Contact:*** Requires prisoners be placed within 500 driving miles of their home, and provides additional phone, video conferencing and visitation privileges.
- ***Opioid Treatment:*** Expands evidence-based opioid and heroin abuse treatment for inmates.
- ***Strengthens Compassionate Release:*** Expands compassionate release under the Second Chance Act and expedites and improves transparency in compassionate release applications.
- ***Effectively Ends Federal Juvenile Solitary Confinement***