POLICY CORNER

LEGISLATION IS MOVING AND SO ARE WE, ASC MEMBERS TO BE MORE ENGAGED WITH MEDIA

by

Laura Dugan, ASC National Policy Committee Chair

The Latest in Washington:

The following information comes from the Crime & Justice Research Alliance (CJRA) policy consultant, Thomas Culligan of the Brimley Group for December 1, 2015. Of course, by the time you read this, you might know more than this report gives.

On November 18, the House Judiciary Committee held a markup for the first major pieces of legislation in its criminal justice reform initiative. The committee looked at the Sentencing Reform Act and its overcriminalization legislative package (H.R. 4001, H.R. 4002, H.R. 4003 and H.R. 4023). The committee members’ opening statements were respectful of the process Chairman Goodlatte (R-VA) put in place for the criminal justice reform initiative. Members were pleased that the effort was indeed moving forward and were pleased with the bipartisan spirit with which it was advancing.

For H.R. 3713, the Sentencing Reform Act of 2015 sponsored by Chairman Goodlatte (R-VA), a number of amendments were discussed but subsequently withdrawn and not adopted (in deference to the integrity of the negotiated legislation). One amendment was adopted from Rep. Sensenbrenner asking for an update to the 2011 United States Sentencing Commission report on mandatory minimums, as well as a “Sense of Congress” statement that mental health should be considered a part of the comprehensive effort to reform our criminal justice system. The bill was reported favorably by unanimous consent. Notably, Rep. Jerry Nadler (D-NY) agreed to support the bill but voiced his reservations that the fentanyl enhancement provision regarding heroin trafficking may have unintended consequences down the road.

H.R. 4001, the Fix the Footnotes Act of 2015 sponsored by Rep. Ken Buck (R-CO), was reported favorably from the committee by unanimous consent with no amendments offered. The bill makes permanent the Law Revision Counsel’s temporary technical changes in an effort to tidy up accumulated drafting mistakes in the code.

The discussion of H.R. 4002, the Criminal Code Improvement Act of 2015 sponsored by Rep. Jim Sensenbrenner (R-WI), centered on the default mens rea provision. As with H.R. 3713, a number of amendments were discussed but subsequently withdrawn and not adopted. The bill was reported favorably by unanimous consent.

H.R. 4003, the Regulatory Reporting Act of 2015 sponsored by Rep. Mimi Walters (R-CA), was reported favorably from the committee by unanimous consent with no amendments offered. The bill directs all Federal agencies to submit a report to the Congress on criminal penalties that result from violation of regulations or rules promulgated by that agency. It also requires explanations on the necessity of each penalty.

H.R. 4023, the Clean Up the Code Act of 2015 sponsored by Rep. Steve Chabot (R-OH), was reported favorably from the committee by unanimous consent with no amendments offered. The bill eliminates nine rarely or never-used provisions from the criminal code.

Finally, the committee favorably reported H.R. 2830, which makes technical amendments to update statutory references to title 2, U.S. Code.

Overall, the markup was a fairly straightforward affair in which both the House Judiciary Committee’s sentencing reform package and overcriminalization package were advanced easily and without dissent. Members on both sides of the aisle, and especially Chairman Goodlatte, Ranking Member Conyers and Rep. Jackson Lee, were very appreciative of the good-faith and bipartisan work being done on criminal justice reform by members of the committee.

Crime & Justice Research Alliance (CJRA):

The Crime & Justice Research Alliance (CJRA), a group that represents both ASC and ACJS in Washington, has hired Caitlin Kizielewicz
of KIZCOMM as communications consultant to launch a proactive media relations campaign. Her plan is to 1) increase awareness of CJRA to ensure that criminal justice policies, programs and practices are informed by relevant research; 2) position CJRA as the leading resource for authoritative experts and scholarly studies in criminal justice and criminology; and 3) promote CJRA research and experts as available sources to reporters covering criminal justice and criminology in mainstream media. She has a great deal of experience working with academics, translating research, and publicizing results through multiple platforms. Please “Like” us on Facebook (https://www.facebook.com/cjralliance/) and “Follow” us on Twitter (https://twitter.com/cjralliance). Further, check out our website (http://crimeandjusticeresearchalliance.org/), which we anticipate redesigning and then updating regularly.

The CJRA website is intended to be a resource for policy-makers and reporters to identify researchers who can speak to the issues and to look up research findings on policy relevant topics of interest. Our government consultant identified ten justice policy areas that are of interest to those on the Hill. Our plan is to organize our experts and research findings according to those topics. These are Criminal Justice Reform, Criminal Justice Technology, Gun Violence, Incarceration and Prisoner Reentry, International Crime, Juvenile Justice and Delinquency, Policing and Crime Prevention, Race and Inequality, Terrorism and Homeland Security, and Victimization. We plan to seek guidance from the ASC Division Chairs to help us populate the experts and research pages (heads up, division chairs!). Further, as mentioned in the last issue of the Criminologist, we hope to keep the research page up to date by translating research from the associations’ journals.

Policy Panels for the 2015 and 2016 ASC Annual Meetings

2015 Panels:
The policy panels from the 2015 Annual Meeting were generally a success. Reports from the organizers either said that attendance was low due to an unpopular time slot, or that attendance was great. It sounds like most sessions—regardless of attendance—had lively discussions between the researchers, practitioners, and audience. Here are some quotes from the more enthusiastic organizers:

“I think it was a great success and I really hope ASC keeps them going. The panelists and audience members were very enthusiastic and I think it was enormously useful for building connections between the policy, practitioner, and academic worlds. Lots of great ideas were generated and discussed and several people made useful personal connections that will further the work (on criminal justice debt).”

“We had a great turnout (130?) and a great discussion of about 20 minutes after the presentations. There were some national news media there and some stories may come out of it. The key, I think, is to have a mix of academics and practitioners talking about the same issues. That really worked well for us.”

2016 Panels:
In that spirit, we intend to keep soliciting policy panels from you. Please consider organizing a policy panel for the 2016 meetings. The key is to have both researchers and policy/practitioners on the panels to discuss the same issue. If you cannot find a policy person/practitioner that is local to New Orleans, consider having them participate remotely. We are negotiating with the hotel to get Wi-Fi in the meeting rooms, but for now have a plan B in place. There are ways to use your 4G networks to Skype in participants.

If you want to organize a panel, email me at ldugan@umd.edu with the subject line: ASC Policy Panels. We will need an abstract for your session, names of participants with contact information (organization, email, phone). We need to submit at least three abstracts for panel presenters. If people are speaking loosely on a topic and not presenting research, then simply send a description of their expertise and the topic they will address. If you are unsure of who can participate by the March 15 deadline, let me know and we can use a placeholder until June.