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February 25, 2020

The Honorable Max Rose
Staten Island Office
265 New Dorp Lane, Second Floor
Staten Island, NY 10306

Dear Representative Rose,

The continuation of federal mandatory minimum sentencing has been proven to be ineffective in managing crime and should be terminated as quickly as possible. We ask to introduce further legislation expanding on the FIRST STEP Act (H.R.5682)¹ which aims to restrict and manage mandatory minimum sentencing, but not eliminate them completely. Our nation prides itself on affirming values that include freedom, equality, and justice for all. These values, however, have not been guaranteed to millions of our fellow Americans as they are only entitled to restricted versions of these promises. We write to you as members of that group of Americans. As young African American men, whose communities have been deeply impacted by mandatory minimum sentencing, we urge you to push for legislation that eradicates this ineffective and discriminatory practice. Mandatory minimum sentencing has had a devastating impact on black men, their families, and their communities. It has subjected black men to unfair sentencing that is often shrouded in prejudice and discrimination. Mandatory minimum sentencing has created a predatory and problematic criminal justice system especially for black Americans.² We urge you to expand previous legislation passed on sentencing reform such as the FIRST STEP Act (H.R.5682). This legislation is a small step towards correcting the wrongs of our criminal justice system by creating more opportunities for past offenders and constricting the use of mandatory minimum sentencing. But larger and more powerful legislation is urgently needed. We call for a complete and clear removal of all minimum mandatory sentencing.

The United States has long upheld discriminatory practices despite being the pinnacle of freedom and equality in the modern world. Our criminal justice system has

¹ Doug Collins, (2018, May 23). H.R.5682 - 115th Congress (2017-2018): FIRST STEP Act. Retrieved from <https://www.congress.gov/bill/115th-congress/house-bill/5682>.

² Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, NY: The New Press, 2010).

punished ethno-racial minorities and/or those of lower socioeconomic status much harsher than whites and those of middle class status. Minority groups such as African Americans and Hispanics make up well over half of the prison population as of 2015,³ which are disproportionate to their population size. and this trend is not new. Minimum mandatory sentencing has plagued New York for decades since the implementation of the Rockefeller drug laws,⁴ which magnified mandatory minimum sentencing and contributed to the incarceration of essentially an entire generation. This was a consequence of the war on drugs which sought to combat drug abuse and drug trade within the United States. This so called “war” turned into a war on low income minorities. This war has never truly been ceased given how mandatory minimum sentencing is still affecting predominately Black and non-White Hispanics offenders.⁵ The reasoning behind mandatory minimum sentencing is to deter potential offenders and protect the general public. Research has shown that punitive mandatory sentencing does not yields sufficient evidence that supports the idea that this practice discourages potential offenders or increases public safety.⁶ Other research reported by the U.S. Sentencing Commission show that despite the policy being aimed at high level and street dealers, most of the convictions were low level offenders.⁷ Since it has been proven that mandatory minimum sentencing does not achieve any of the goals it was intended to achieve, the continuation of this is truly cruel and futile.

Past legislation aimed at reforming the sentencing policies have been able to curb ineffective sentencing policies but did not actually ensure that discriminatory sentencing practices were eradicated. The FIRST STEP Act (H.R.5682) was able to make some progress. However, this legislation lacks potency and ability to remove the discriminatory nature of the sentencing system. It does not really remove mandatory minimum sentencing but rather alters its implementation and length. It also only is projected to exempt 2,000 cases a year.⁸ The thousands of other cases that will not be deemed exempt from mandatory minimum sentencing will continue to carry out the original mandatory minimum sentencing which can often be a ten-year or above sentence. Communities whose population are heavily affected by these convictions, such as ours, lose parents, siblings, children, and friends, as a result of this policy. In addition, communities that have

³ Criminal Justice Fact Sheet. (2016). Retrieved October 28, 2019, from <https://www.naacp.org/criminal-justice-fact-sheet/>.

⁴ Aaron D. Wilson, (n.d.). Rockefeller Drug Laws Fact Sheet. Retrieved October 28, 2019, from <https://www.prdi.org/rocklawfact.html>.

⁵ Sonja B, Starr and M. Marit Rehavi. “Mandatory Sentencing and Racial Disparity: Assessing the Role of Prosecutors and the Effects of Booker.” *Yale Law Journal* 123, no 1 (October 2013): 2-80

⁶ Jason Pye, (2015, March 18). Nine facts about mandatory minimums and the Smarter Sentencing Act. Retrieved November 5, 2019, from <http://www.freedomworks.org/content/9-facts-about-mandatory-minimums-and-smarter-sentencing-act>.

⁷ Mandatory Minimums and Sentencing Reform. (2018). Retrieved October 31, 2019, from <https://www.cjpf.org/mandatory-minimums>.

⁸ Justin George, (2018, November 16). What's Really in the First Step Act? Retrieved October 31, 2019, from <https://www.themarshallproject.org/2018/11/16/what-s-really-in-the-first-step-act>.

high incarceration rates face higher levels of poverty, mental illness, and youth offenders.⁹ As a representative of all American people and as a safe keeper of the American ideals of liberty, equality and justice, we ask you to fight for millions of Americans who yearn for those ideals: Put an end to mandatory minimum sentencing and allow for true justice to shine its light on our nation.

Sincerely,

Rajiv Redd

Ahmad Lyons

⁹ Todd R. Clear, *Imprisoning communities: How mass incarceration makes disadvantaged neighborhoods worse*. (New York, NY: Oxford University Press, 2009.)

Project Proposal:

Overview:

Mandatory minimum sentencing has played a major role in the prolongment of racial and economic inequality within the United States. This failed system has further exacerbated the rift that was created centuries ago and has made our nation's founding principles of freedom, justice, and equality not available to all of its people. These unfair and unsuccessful sentencing practices have destroyed countless communities and continue to alter the futures of millions of Americans at this very point in time. Since New York City was for a long time one of the epicenters of this epidemic (due to the stop-and-frisk policy), we aim to mobilize and inform not only students of Wagner College, but also members of the general public who wish to end these discriminatory practices. Our overall goal is to not only bring attention to this often overlooked issue, but also use the attention to push for the change of these laws. We plan to accomplish our goals of raising awareness and changing the existing laws through a series of initiatives aimed at providing voices for those silenced. We plan to create long lasting systemic change rather than bringing temporary non-impactful attention to the issue. By kick-starting a movement at Wagner College, we aim to inform the public on the discriminatory basis of mandatory minimum sentencing along with the effects it has on minority communities and the larger society as well.

Goals:

Our overall goal is to draw enough attention to the issue to eventually persuade lawmakers to expand on past legislation and part ways with mandatory minimum sentencing. Our goal will be achieved through dialogue and humanization of the issue. For the public and our elected officials to truly understand how detrimental the sentencing guidelines have been thus far, we must put faces on the issue. We must get people to understand that these individuals who received mandatory minimum sentencing are not simply drug dealers or morally vile people. These are fathers, brothers, sons, etc. These are our fellow Americans who are denied the founding principles of our nation. Until we can humanize the issue and push for a change of the narrative, we will find ourselves fighting an uphill battle. We aim to create systemic change through legislation which is often preceded by changes in the public opinion. Once people know more about the wrongs of our criminal justice system, we can create impactful and meaningful dialogue between the imprisoned, their families, and the Wagner community which leads to change. We will be able to measure the success of our actions based on the number of people we get involved in our cause (e.g. attending dialogues, participating in the letter writing, sharing on social media). Our goal is to bring awareness to the injustices of our criminal justice system. We aim to change the narrative about those convicted and build empathy.

Target Audience:

We will aim to impact two specific audiences. Each approach will tailor to the audience while pushing for further dialogue. One audience will be our local and national legislators. The true power to correct the systemic wrongs lies in their hands. We will target our efforts at the Crime, Terrorism, and Homeland Security Judiciary subcommittee as they deal with sentencing reform. We will also call upon Hakeem Jefferies, U.S. Representative of New York's 8th congressional district, who is part of this committee along with Congressman Max Rose to help initiate change from a systemic level. The second group, we will target are young voters and would-be voters. They will be the main driving force behind the change. We will utilize our connection with local high schools such as Port Richmond, Curtis, Staten Island Tech, as well as local colleges, including but not limited to the College of Staten Island, and fellow Periclean schools, Pace University and The New School. Our outreach will be via social media—using the hashtag, #Needforchange—but also during the Debating for Democracy on the Road™ workshop. We believe that younger generations can be the motor of change and have a proven to be efficient and impactful at drawing attention to national issues (e.g. Black Lives Matter, March For Our Lives, Fridays for Future).

Activities:

For change to truly occur, we need to change the narrative about the issue and humanize those affected. To do so we plan to create an outreach program starting at Wagner College. The main goal of this program is to reveal and inform the general public the stories of those affected by mandatory minimum sentencing. We will follow the format of the pen-pal system where inmates and students communicate via letters. Here, we will collaborate with existing student groups at Wagner College such as Black Student Union, ALMA, Black and Hispanic Male Initiative, and the Women of Color Dialogue Circle. In the letters, we will first establish rapport with those imprisoned, before asking questions that relate to their cases, sentencing, and the affects it had on their mental state. As college students, we find ourselves in a very privileged environment. Instead of basking in our privilege, we aim to use our status and privilege to bring attention to the travesties of our criminal justice system. The basic format of our group will be to meet on a monthly basis and provide writing materials to students interested. Our meetings will consist of dialogue on issues pertaining to sentence reform. We will then begin to learn more about the stories of those affected by these sentencing guidelines via letters. We will use the inmate's stories (with their permission) to create a more empathetic environment at Wagner College and social media. We aim to express their stories through social media seeing how this is a preferred means of communication for our generation. We also intend to share these stories with elected officials, such as Congressman Max Rose, to bring more understanding to the true damage caused by these sentencing guidelines and hopefully create a push for change. Besides reaching out to inmates, we also plan to contact their families and friends to assess the indirect damage of mandatory minimum sentencing. We hope to humanize those

effected along with providing voices for those silenced. This initiative will provide the framework for student-led advocacy at Wagner College and hopefully nationwide for the fight for a fair sentence reform.

BUDGET:

Mailings (envelopes, stamps, etc.)	\$200.00
Fees for sending mail to correction facilities	\$150.00
Snacks (provided at workshops and writing sessions)	\$150.00
TOTAL	\$500.00