

107TH CONGRESS
1ST SESSION

S. 185

To provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2001

Mr. DORGAN (for himself and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide incentives to encourage stronger truth in sentencing of violent offenders, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Allowing Felons
5 Early Release (SAFER) Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) violent criminals often serve only a small
9 portion of the terms of imprisonment to which they
10 are sentenced;

1 (2) a significant proportion of the most serious
2 crimes of violence committed in the United States
3 are committed by criminals who have been released
4 early from a term of imprisonment to which they
5 were sentenced for a prior conviction for a crime of
6 violence;

7 (3) violent criminals who are released before the
8 expiration of the term of imprisonment to which
9 they were sentenced often travel to other States to
10 commit subsequent crimes of violence;

11 (4) crimes of violence and the threat of crimes
12 of violence committed by violent criminals who are
13 released from prison before the expiration of the
14 term of imprisonment to which they were sentenced
15 affects tourism, economic development, use of the
16 interstate highway system, federally owned or sup-
17 ported facilities, and other commercial activities of
18 individuals; and

19 (5) the policies of one State regarding the early
20 release of criminals sentenced in that State for a
21 crime of violence often affect the citizens of other
22 States, who can influence those policies only through
23 Federal law.

24 (b) PURPOSE.—The purpose of this Act is to reduce
25 crimes of violence by encouraging States to incarcerate

1 violent offenders for the full term of imprisonment to
2 which they are sentenced.

3 **SEC. 3. ALLOCATION OF TRUTH-IN-SENTENCING INCEN-**
4 **TIVE GRANTS.**

5 Section 20106(b) of the Violent Crime Control and
6 Law Enforcement Act of 1994 (42 U.S.C. 13706(b)) is
7 amended—

8 (1) in the first sentence, by striking “The
9 amounts” and inserting the following:

10 “(1) IN GENERAL.—Subject to paragraph (2),
11 the amounts”; and

12 (2) by adding at the end the following:

13 “(2) REDUCED ALLOCATION FOR CERTAIN
14 STATES.—

15 “(A) IN GENERAL.—Beginning 3 years
16 after the date of enactment of the Stop Allow-
17 ing Felons Early Release (SAFER) Act, for
18 each eligible State that has not enacted a stat-
19 ute meeting the requirements of subparagraph
20 (B), the Attorney General shall reduce the
21 amount allocated under paragraph (1) by 25
22 percent.

23 “(B) STATUTE DESCRIBED.—A statute
24 meets the requirements of this subparagraph if
25 it results in the elimination of parole, good time

1 credit release, and any other form of early re-
2 lease for any person convicted of a part 1 vio-
3 lent crime, with early release permitted only by
4 approval of the Governor of the State after a
5 public hearing during which representatives of
6 the public, the victims of the part 1 violent
7 crime at issue, and the law enforcement agen-
8 cies from the jurisdiction in which the part 1
9 violent crime at issue was committed have had
10 an opportunity to be heard regarding the pro-
11 posed release.

12 “(C) ALLOCATION.—The total amount of
13 the reductions under subparagraph (A) shall be
14 allocated among eligible States that have en-
15 acted a statute meeting the requirements of
16 subparagraph (B) on a pro rata basis in accord-
17 ance with paragraph (1).”

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