

The Honorable John Kennedy  
SR383, Russell Senate Building  
Washington, DC 20510

Dear Senator Kennedy,

We write in response to your [letter to President Trump](#)<sup>1</sup> regarding Louisiana's criminal justice reforms. In it, you lament that formerly incarcerated people who have been released from state prisons in recent years "weren't paired with programs to reduce their recidivism."

You are wise to focus on pairing those in prisons with the appropriate programs and we agree with both you and the president who [said recently](#)<sup>2</sup>, "if we want more prisoners to take charge of their own lives, then we should work to give them the tools to stand on their own two feet."

A major key to fighting recidivism is the in-prison availability of evidence-based programs that give incarcerated individuals the tools needed to successfully reenter our communities as productive, law-abiding citizens. Though Louisiana's recidivism rate is [projected to be much lower](#)<sup>3</sup> than the national average as a result of the state's Justice Reinvestment reforms, history shows that even fewer incarcerated people in the state will reoffend if exposed to reentry programs aimed at taking them from prison to paycheck.

We don't have to look far for evidence that this smart-on-crime, soft-on-taxpayers approach works. *The New York Times* [reported](#)<sup>4</sup> that "in 2007, the Texas Legislative Budget Board projected that the state would need more than 17,000 new prison beds over five years, a building project that would cost \$530 million, never mind the operating costs." In response, conservative legislators worked to reform the state's prison system through a new approach that focused not just on punishment, but rehabilitation. The result? In the past decade, Texas has [closed eight prisons](#)<sup>5</sup>, saved taxpayers \$4 billion, and most importantly, reduced crime to levels not seen since the 1960s.

Louisiana may have had other challenges that are not shared by the federal system. But that doesn't mean the state – or Washington – should abandon criminal justice reform and return to an era of over incarceration. What Texas demonstrates is that Louisiana should continue improving its system by directing savings generated through Justice Reinvestment into your suggestion of programs that reduce recidivism.

So, too, should Washington. Right now, the U.S. Senate is considering legislation called the FIRST STEP Act, a bill aimed at reducing recidivism and making our communities safer by requiring the effective pairing of federal programming you seek for your home state. There are

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<sup>1</sup> <https://www.kennedy.senate.gov/public/press-releases?ID=7C3E3338-857C-4C71-91A5-347BA62D5F39>

<sup>2</sup> <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-white-house-prison-reform-summit/>

<sup>3</sup> <https://freebeacon.com/issues/in-louisiana-state-government-seeks-to-reverse-sky-high-incarceration/>

<sup>4</sup> <https://www.nytimes.com/2017/02/14/opinion/even-in-texas-mass-imprisonment-is-going-out-of-style.html>

<sup>5</sup> <https://www.dallasnews.com/news/texas-legislature/2017/07/05/crime-incarceration-rates-falling-texas-closes-record-number-lock-ups>

ongoing conversations about adding modest, common-sense sentencing reforms to the bill, but in its current form the bill would also allow outside programs into federal prisons to enhance rehabilitation and reentry, and require prisoners, based on their level of risk, to be placed in facilities within 500 driving miles of their primary residence. Failure to pass the bill would leave the federal correctional system open to the same concerns you expressed about your home state's prisons.

Research shows that this approach works to reduce the likelihood that people reoffend after they are released from prison. A [study conducted by RAND](#)<sup>6</sup> revealed that inmates who participate in kind of educational program behind bars—from remedial math to vocational auto shop to college-level courses—are up to 43 percent less likely to reoffend and return to prison. A [separate study](#)<sup>7</sup> showed in-prison cognitive behavioral and drug treatment programs led to a double-digit reduction in recidivism compared to inmates who did not receive those services.

We also know that incarcerated people want to rebuild their lives and become productive members of society. Both male and female prisoners who were recently surveyed as part of a project called [Safe Streets & Second Chances](#)<sup>8</sup> said they want to work more, learn more, and spend more time on personal relationships, improving their health, and practicing their faith than they currently do while incarcerated.

It's no wonder that this idea has widespread support from the public, including conservatives. [Recent polling data](#)<sup>9</sup> shows that 70 percent of likely voters approve of the FIRST STEP Act and 68 percent believe the primary purpose of the criminal justice system is to punish, *but also rehabilitate* those convicted of a crime. Sixty-six percent of registered Republican voters agreed with this view.

To be clear, we agree with you that there are certain people who commit violent crimes who belong in prison away from the general public. But due to failed, "tough on crime" policies, there are many non-violent, low-level offenders who have paid their debt to society yet are not being prepared for life as gainfully employed citizens. It's important to remember that these individuals are [fathers and mothers](#)<sup>10</sup>, brothers and sisters, and sons and daughters. Preventing their successful transition to good citizens holds back our success as a country.

Roughly 95 percent of all state inmates will one day be released from incarceration. Therefore, it is in everyone's best interest to ensure that these individuals leave prison in better shape than when they arrived. Senator, you can help fight recidivism at both the state and federal level by supporting reforms that transform our prisons from warehouses into places where people are truly corrected.

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<sup>6</sup> <https://www.rand.org/blog/rand-review/2016/01/course-correction-the-case-for-correctional-education.html>

<sup>7</sup> <http://aaswsw.org/wp-content/uploads/2015/03/From-Mass-Incarceration-to-Decarceration-3.24.15.pdf>

<sup>8</sup> <https://safestreetsandsecondchances.com/new-report-incarcerated-individuals-want-to-be-rehabilitated-are-hungry-for-second-chances-as-they-reenter-society/>

<sup>9</sup> <https://freedompartners.org/press/first-step-act-backed-by-70-of-likely-voters/>

<sup>10</sup> <http://rightoncrime.com/2018/08/right-on-crime-publishes-handbook-for-employers-on-hiring-previously-incarcerated-individuals/>

As the president [recently stated](#)<sup>11</sup>, “America is a nation that believes in second chances, and third chances, in some cases.” We ask that you support the FIRST STEP Act and work with the White House to help create a path forward for the millions of people who have made a mistake but are ready to make the most of their second chance.

Sincerely,

Mark Holden  
Chairman, Freedom Partners Chamber of Commerce

Marc Levin  
Vice President of Criminal Justice Policy, Texas Public Policy Foundation and Right on Crime

Adam Brandon  
President, FreedomWorks

David Safavian  
General Counsel, American Conservative Union

Craig DeRoche  
Senior Vice President of Advocacy & Public Policy, Prison Fellowship

Brent Gardner  
Chief Government Affairs Officer, Americans for Prosperity

Jay Lapeyre  
Co-Chair, Smart On Crime Committee

Daniel Erspamer  
Chief Executive Officer, The Pelican Institute

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<sup>11</sup> <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-white-house-prison-reform-summit/>