

105TH CONGRESS
1ST SESSION

S. 454

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

IN THE SENATE OF THE UNITED STATES

MARCH 17, 1997

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. ELIGIBILITY FOR TRUTH IN SENTENCING INCEN-**
 4 **TIVE GRANTS.**

5 (a) IN GENERAL.—Section 20102(b)(1) of the Vio-
 6 lent Crime Control and Law Enforcement Act of 1994 (42
 7 U.S.C. 13702(b)(1)) is amended to read as follows:

8 “(1) FORMULA ALLOCATION.—

9 “(A) IN GENERAL.—Of amounts made
 10 available to carry out this section, the Attorney
 11 General shall allocate for each eligible State an
 12 amount equal to the ratio that the number of
 13 part 1 violent crimes reported by such State to
 14 the Federal Bureau of Investigation for 1993
 15 bears to the number of part 1 violent crimes re-
 16 ported by all States to the Federal Bureau of
 17 Investigation for 1993.

18 “(B) OTHER STATES.—

19 “(i) IN GENERAL.—For each eligible
 20 State that has not enacted a statute meet-
 21 ing the requirements of clause (ii), the At-
 22 torney General shall reduce the amount al-
 23 located under subparagraph (A) by 25 per-
 24 cent.

1 “(ii) STATUTE DESCRIBED.—A stat-
 2 ute meets the requirements of this clause
 3 if it results in the elimination of parole,
 4 good time credit release, and any other
 5 form of early release for any person con-
 6 victed of a part 1 violent crime, with early
 7 release permitted only by approval of the
 8 Governor of the State after a public hear-
 9 ing during which representatives of the
 10 public and the victims of the part 1 violent
 11 crime at issue have had an opportunity to
 12 be heard regarding the proposed release.

13 “(iii) ALLOCATION.—The total
 14 amount of the reductions under clause (i)
 15 shall be allocated to each eligible State
 16 that has enacted a statute meeting the re-
 17 quirements of clause (ii) in accordance
 18 with the formula under subparagraph
 19 (A).”.

20 (b) EFFECTIVE DATE.—The amendment made by
 21 subsection (a) shall take effect 3 years after the date of
 22 enactment of this Act.

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