

107TH CONGRESS  
1ST SESSION

# S. 185

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

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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

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## 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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