



DREW FINDLING
President

March 21, 2019

William Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Barr:

As the nation's criminal defense bar, NACDL has a keen interest in ensuring that the sentencing relief and rehabilitative measures enacted as part of the First Step Act are fully and expeditiously implemented, within the time limits set forth in the law. The Department of Justice, particularly through its Bureau of Prisons, has been entrusted with the responsibility of constructing the foundations of a system that seeks to improve reentry for the thousands of persons released from federal incarceration every year. Most federal prisoners will reenter society at some point, and preparing them for that transition is critical to the welfare of our communities. If faithfully and prudently implemented, the First Step Act has the potential to greatly enhance the BOP's mission to "provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens." The public expects no less and Congress has made clear the importance of fulfilling this mandate.

Yet to date, it appears the Department is not carrying out the mandates set forth in the law. NACDL is particularly concerned that the Department of Justice has failed to create the Independent Review Commission within the required 30 days from enactment. Even allowing for extenuating circumstances, the current delay (60 days beyond the deadline, as of March 21) in taking this initial step is inexcusable. This Commission is a critical component of the legislation, upon which depends the timely and fair creation and implementation of the risk assessment regime.

The IRC must be created without further delay and enabled to fulfill its purpose. In addition, NACDL urges the Department of Justice to publicly communicate its plans and timeline for implementing the other aspects of the First Step Act for which the Department is accountable.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Drew Findling', with a long horizontal flourish extending to the right.

Drew Findling
President