



THE
AMERICAN
CONSERVATIVE
UNION

April 19, 2021

The Honorable Karen Fann
Senate President
1700 W Washington St
Phoenix, AZ 85007

The Honorable Russell “Rusty” Bowers
Speaker of the House
1700 W. Washington St
Phoenix, AZ 85007

Re: SB 1064 -- Expanding Earned Release Credits

Dear President Fann and Speaker Bowers:

The American Conservative Union is the nation’s oldest grassroots advocacy organization. Founded in 1964 by William Buckley, we have a 50-plus-year track record of advancing policies that reduce the size and scope of government, advance liberty, and reduce burdens on families. While not always thought of as going hand-in-hand, all of these core values are severely impacted by the criminal justice system.

We are writing to you to express ACU’s support for the principles contained in SB 1064, a bill that increases earned release credits for some people convicted of drug and other nonviolent offenses. This policy will save Arizona taxpayers millions of dollars, boost the state’s economy, and begin to safely reduce the state’s dangerously high prison population, which is currently the fifth highest in the nation.

Arizona’s prison population has increased by a staggering 60% since 2000. This significant increase is due largely to the fact that Arizona is one of only three states that requires almost everyone in prison to serve 85% of their sentence. This means incarcerated people in Arizona serve some of the longest sentences in the country - including serving forty percent longer sentences than the national average for drug crimes, and almost twice as long as the national average for non-violent property crimes. These long prison sentences come at a high cost to Arizona taxpayers who spend over a billion dollars a year on the state’s prison system.

We recognize that the drug epidemic is doing serious damage to far too many communities. And if long sentences made a significant difference in the availability of drugs and crime in general, we would be supportive of that approach. However we know that these long sentences aren’t making Arizonans safer, as Arizona is ranked as the 41st safest state in the nation according to [US News & World Report](#).

Texas is a prime example of effective crime policy. In 2005, the state enacted reforms that reduced the number of prison cells occupied by non-violent offenders. Using the cost savings, it was able to fully fund re-entry programs that were proven to be effective at reducing recidivism. With more than 13 years of data, the results are unambiguous: reduced incarceration, lower recidivism, the closure of ten prisons, and savings to the taxpayers of more than \$3 billion.

But the most important metric is public safety. The crime rate in Texas has dropped to levels we have not seen since 1967 as a result of the reforms enacted by their legislature. With SB 1064 under consideration, there is no reason why Arizona shouldn’t join Texas, Utah and more than 25 other states that have enacted criminal justice reforms that have successfully reduced both their crime rates and their prison populations.

How does reducing incarceration contribute to public safety? The answer lies in opportunity costs. Locking up people who don’t pose a threat to their communities prevents the state’s ability to fully fund more effective crime prevention strategies. Unlike the federal government, Arizona cannot just print money



THE
AMERICAN
CONSERVATIVE
UNION

meaning the state must operate within its means. Every dollar wasted on overincarceration has to be made up either by cutting other programs or increasing government spending. An approach that expands earned release credits will allow Arizona to better allocate resources to those who are truly in need of the extra government supervision.

“When all you have is a hammer, everything looks like a nail.” This old adage seems to fit the current system in Arizona. But it makes no sense to cling to this ineffective approach of long sentences and few opportunities for rehabilitation and release. Expanding earned release credits provides clear benefits to Arizona families, safely reduces the state’s high prison population, and saves Arizonans their hard-earned money. We strongly encourage you to support SB 1064, commonsense legislation that strengthens Arizona and honors our core conservative values.

Respectfully,



Pat Nolan
Director Emeritus
American Conservative Union Foundation
Nolan Center for Justice



Brett Tolman
Senior Fellow, American Conservative Union
Former US Attorney

Cc: Members of Arizona House of Representatives
Members of Arizona Senate

