



3/25/2021

Dear Lawmaker,

On behalf of Americans for Prosperity activists across West Virginia, we urge you to oppose HB 2017, Rewriting the Criminal Code. This vote may be recorded on our annual scorecard.

Americans for Prosperity-WV has long supported criminal justice reforms that make the Mountain State smarter on crime and softer on taxpayers. While this legislation does take some steps in the right direction and we believe its intentions were meant to be positive, it contains provisions that would be significantly detrimental towards progress we've made together in reforming our justice system.

This legislation ham handedly attempts to completely rewrite our state's criminal code resulting in a flawed piece of legislation with heavily negative, and perhaps unintended, consequences. In too many instances, this bill unnecessarily increases penalties which are already sufficiently punitive. Such changes *will not* make our communities safer while needlessly increasing taxpayer burden due to longer incarceration time and more individuals being placed in our jails/prisons. This will be especially financially devastating for counties that are already struggling to keep up with the ever-increasing cost of incarceration. Research has repeatedly shown that longer prison sentences do not make us safer. While HB 2017 does reduce the maximum prison sentence for some offenses, it increases the minimum and maximum sentence for many others.

HB 2017 also ties the hands of judges and prevents them from imposing accountability and punishment proportional to the harm caused by the offense by arbitrarily increasing minimum penalty ranges. Doing so is both unnecessary and wildly out of line with the ambitions of state lawmakers to reduce West Virginia's jail/prison population by making our justice system smarter on crime and softer on taxpayers.

Rewriting the criminal code is a massive undertaking. And, while we thank lawmakers for working towards this laudable goal, HB 2017 simply did not get the task right.

Thankfully, last year, the legislature passed HB 4004, which established the West Virginia Sentencing Commission. This entity was created to contemplate sentencing laws in the state and will begin providing recommendations to the legislature on January 1, 2022.

We strongly urge you to allow the Sentencing Commission to do their work, as intended by your action in the previous session, and reject HB 2017 due to its considerable negative consequences.

Sincerely,

Jason Huffman
West Virginia State Director
Americans for Prosperity