



2025-2029 ROADMAP



JLUSA®



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INTRODUCTION

JLUSA was founded in 2014 and is led by people with lived experience who are dedicated to giving voice to their constituents across the United States. In April 2023, JLUSA announced the formation of the JustUS Coordinating Council (JCC) composed of systems-impacted leaders from throughout the country.

Since its formation, the JCC has done a deep dive into the multi-layered federal policy infrastructure that impacts the two million incarcerated people across the land and more than 70 million Americans still bear the stigma of a conviction history. The recommendations that follow provide solutions in four ways: through immediate presidential Executive Actions; enhancement of Administrative Rules and Regulations; Legislative Recommendations; and a Constitutional Amendment.

These initiatives and roadmap recommendations are key to addressing mass incarceration and improving public safety, and serve as a transformative strategy for enhancing economic mobility for individuals who have been incarcerated by addressing systemic barriers that impede their access to opportunity. By fostering an inclusive environment where everyone has the opportunity to thrive, the roadmap promotes a cycle of economic growth and stability that benefits individuals, families, and communities alike.

EXECUTIVE

Establish a National Council on Criminal Justice

Ensuring fair treatment for those impacted by incarceration is a fundamental issue of human rights, justice, and fairness. It is also essential for advancing economic opportunity, expanding access to education, improving public health, strengthening community resilience, and fostering democratic participation. The active inclusion of all individuals — including those who have been incarcerated — in every aspect of society is vital to the economic strength, wellness, and security of our nation.

The Administration must be committed to a comprehensive strategy to ensure that the Federal Government actively creates, supports, and provides opportunities for individuals affected by incarceration. This Executive Order focuses on promoting fairness and justice, with careful consideration of the unique challenges faced by impacted communities, while advancing inclusive strategies that benefit all Americans.

To that end, the Administration shall establish the National Council on Criminal Justice, a standing body co-chaired by a Criminal Justice Advisor and the director of the Domestic Policy Council. The National Council on Criminal Justice would have an equal number of members from inside and outside of government, consisting of representatives from advocacy organizations and directly impacted individuals as well as representatives from across various disciplines including the federal government — to the extent that such activities are relevant to their respective statutory authorities and legal obligations. This balanced membership ensures a strategic approach to addressing justice system challenges while fostering actionable solutions.

Establish an Independent Federal Clemency Board

The Administration should prioritize a comprehensive restructuring of the federal clemency process to address significant challenges in the current system. Currently, the Department of Justice (DOJ) plays a central role, but its control has led to delays, often sidelining clemency as an effective tool for justice. To improve the process, the Administration should establish an independent Federal Clemency Board that would be responsible for providing regular, evidence-based recommendations directly to the President. By removing clemency from the DOJ's purview, this new structure would ensure impartiality, promote balanced decision-making, and restore faith in the clemency process.

The Federal Clemency Board would be composed of a diverse group, including legal experts, criminal justice advocates, and individuals with lived experience in the criminal legal system. This body would establish clear, uniform criteria for evaluating clemency petitions based on factors such as rehabilitation, sentencing disparities, and humanitarian concerns. Additionally, the Board would be empowered to operate independently of prosecutorial influence, with a mandate to issue quarterly recommendations to the President. Public reporting would enhance transparency and accountability. With over 8,600 petitions currently pending, this restructured process would help restore trust in clemency as a vital tool for addressing systemic inequities, promoting justice, and fostering healing in communities.

Appoint a Criminal Justice Advisor

A key structural change to elevate criminal justice as a priority is to name a Criminal Justice Advisor — a dedicated advisor to the Administration on criminal justice issues, providing a direct line of communication and recommendations. The position must be located outside of the DOJ, a direct advisor to the President who is a presidential appointee. The Criminal Justice Advisor would serve as the Chair of the National Council on Criminal Justice, an independent coalition to provide input and oversight.

Importantly, the role would be filled by a formerly incarcerated individual who has a deep understanding of criminal justice policy and its impact on marginalized communities. This would ensure the Advisor has direct lived experience and proximity to the communities most affected by the criminal justice system.

Use Person-First Language Across All Federal Agencies

Approximately 80 million people in the United States are impacted by a conviction history, facing significant stigma that hinders their ability to reintegrate into society, access opportunities, and fully exercise their rights. The language used by governmental institutions plays a pivotal role in shaping societal perceptions and either perpetuating or challenging this stigma. Organizations led by formerly incarcerated people such as NuLeadership, JLUSA, and FWD.us have championed the use of Person-First Language and provided the context for why words such as “felon,” “convict,” and “inmate” reduce individuals to their past mistakes, undermining their humanity and potential for change.¹

This Executive Order promotes person-first, humanizing language across all federal agencies and contractors. This would affirm the Administration’s commitment to fostering public understanding and support for those working to rebuild their lives.

ADMINISTRATIVE

Department of Justice — Bureau of Prisons

Restrict Use of Punitive Solitary Confinement

“Special housing units” (SHU) is the euphemism for solitary confinement in federal corrections facilities. Currently, 12,000 people are held in SHUs across the country representing over seven percent of the federal prison population.² A large body of research shows that solitary confinement causes adverse psychological effects and increases the risk of serious harm to individuals who experience it, reducing individuals’ ability to reintegrate into their communities effectively upon release.³ Studies also find that isolation can be as distressing as physical torture.⁴ The practice of using solitary confinement as punishment must end. Solitary confinement must be restricted to circumstances that require separation, and offer alternative interventions to address the myriad reasons for its overuse, such as non-violent infractions, requests for separation and protection, or mental health crises.

¹<https://jlusa.org/person-first/>
https://static1.squarespace.com/static/624def0f36d3686eb5ecc0f6/t/664981090c43a60377f756ef/1716093193147/Language+Letter+and+Overview_Center+NuLeadership_March+2023.pdf
<https://www.fwd.us/wp-content/uploads/2024/09/People-First-Language-Guide.pdf>

²<https://www.gao.gov/blog/federal-prisons-havent-addressed-longstanding-concerns-about-overuse-solitary-confinement>

³<https://pmc.ncbi.nlm.nih.gov/articles/PMC7546459/>
https://www.prisonpolicy.org/blog/2020/12/08/solitary_symposium/
<https://www.urban.org/sites/default/files/2022-08/Solitary%20Confinement%20in%20the%20US.pdf>
<https://www.nami.org/advocate/how-solitary-confinement-contributes-to-the-mental-health-crisis/>

⁴<https://doi.org/10.1017/S1816383107001300>
<https://pubmed.ncbi.nlm.nih.gov/17339516/>

Department of Labor

Strengthen federal requirements for Workforce Innovation and Opportunity Act grantees to better align individuals with conviction histories with high-quality, industry-related training opportunities, and center their voices in service design and delivery

The Workforce Innovation and Opportunity Act (WIOA) supports workforce development programs that help up to 20 million Americans access job opportunities, start careers, and secure their futures. These funds are allocated to state and local boards with broad discretion in how they are used. However, there are limited mechanisms within the joint guidance in Training and Employment Guidance Letters (TEGL) to ensure meaningful engagement with the populations served.⁵ States also have the flexibility to apply other grants, like Disaster Recovery Dislocated Worker Grants, to include or exclude returning citizens. As a result, many services lack evidence-based, effective, and culturally responsive practices.

The system allows boards to impose arbitrary caps on services like transitional jobs and supportive services, which are particularly beneficial for individuals who are formerly incarcerated. This often leads to poor-quality services, selective participation, and low-quality job placements, leaving systems-impacted people behind. The impact is significant, with unemployment for returning citizens currently over 30%.⁶ Despite federal guidelines for WIOA planning, the lack of regulatory oversight in the accompanying recommendations fails to ensure real economic opportunity.

Office of Personnel Management

Strengthen Implementation of the Fair Chance to Compete Act

As outlined in the JustUS Coordinating Council's Economic Justice Report,⁷ the federal government has a unique responsibility to "serve as a model employer" by advancing fair chance hiring. By strengthening guidance and accountability mechanisms under the Fair Chance Act, OPM can champion employment equity and set an example for public and private employers nationwide. We urge OPM to take immediate steps to assess implementation, address violations, and empower directly impacted individuals with meaningful access to federal employment opportunities. This proactive approach will bolster economic mobility and reaffirm the government's commitment to second chances.

To ensure the Fair Chance to Compete for Jobs Act fulfills its purpose of removing barriers to federal employment for individuals with conviction histories, the Office of Personnel Management (OPM) must address persistent implementation challenges. Although OPM has issued regulations to prohibit agencies and contractors from inquiring about criminal history during the pre-offer stage, and agencies must establish clear, well-documented procedures and train human

⁵<https://www.dol.gov/agencies/eta/advisories/tegl-04-23>

⁶<https://www.prisonpolicy.org/blog/2022/02/08/employment/>

⁷<https://justuscc.org/report/building-the-table-advancing-a-sustained-federal-commitment-to-ensure-economic-justice-for-systems-impacted-individuals>

resources and security personnel to prevent discriminatory practices, inconsistencies across federal agencies undermine the law's impact. A comprehensive review of complaints and implementation gaps would allow OPM to update its guidance and promote uniform adherence across the federal government.

Housing and Urban Development

Include time spent in correctional and institutional care facilities greater than 90 days in the definition of “chronic homeless” so that people reintegrating back into society are deemed eligible for HUD homeless programs and services.

The Department of Housing and Urban Development (HUD) issued clarifying guidance on the definition of chronic homelessness in 2016.⁸ It clarified the term as: 1) people and families lacking a fixed, regular nighttime residence – including a subset for an individual exiting an institution where they have resided for less than 90 days; 2) people in imminent danger of losing their primary nighttime residence; 3) unaccompanied youth and families with children who are defined as homeless other federal law; and 4) people fleeing domestic violence.⁹ Under this definition, formerly incarcerated people who have spent more than 90 days in a correctional facility are not defined as homeless, making them ineligible for HUD homeless programs. HUD should amend its definition of chronic homelessness to include formerly incarcerated people and all types of carceral, congregant facilities from which they may return. Revising the definition of 'chronic homelessness' to include individuals leaving incarceration and other congregant living facilities would address an unmet need and improve access to housing programs during critical periods of transition.

Remove discretionary bans on public housing for people with a conviction history

HUD regulations allow public housing agencies discretionary power to deny access to housing based on conviction histories. These arbitrary, discretionary bans on public housing for people with a conviction history are disproportionate across PHA's and expand the denial of a basic human need that exacerbates the economic and racial inequalities that plague people with conviction histories. HUD federal statutes and regulations have within them established bans that clearly state which exclusions are to be implemented - persons forced to register as a sex offender for life and those convicted of manufacturing methamphetamines while in public housing.¹⁰ Allowing discretionary bans only serves to protect public housing officials who unfairly deny marginalized communities safe and secure housing.

⁸<https://www.hudexchange.info/homelessness-assistance/coc-esg-virtual-binders/coc-esg-homeless-eligibility/definition-of-chronic-homelessness/>

⁹<https://www.hudexchange.info/homelessness-assistance/coc-esg-virtual-binders/coc-esg-homeless-eligibility/four-categories/>

¹⁰<https://www.hudexchange.info/faqs/programs/housing-choice-voucher-program/eligibility-determination-and-denial-of-assistance/background-screening/are-applicants-with-felonies-banned-from-public-housing-or-any-other>

Department of Education

Establish guidelines to improve implementation and technical assistance for Pell Grants and ensure post-release transfer of academic credits

On July 1, 2023, Pell Grants were reinstated for incarcerated students.¹¹ This has reopened access to hundreds of thousands of prospective college students who are incarcerated, however, the funding itself is simply not enough. It is imperative that additional administrative guidance for implementation and technical assistance be issued to ensure Prison Education Programs are accredited, that students enrolling are prepared for the rigor of post-secondary coursework, and that institutions are providing ongoing educational support.¹² Establishing consistent guidelines for the implementation of Pell Grants would ensure incarcerated students are prepared to be successful and use Pell dollars effectively while pursuing post-release pathways to continue their education.

Health and Human Services

Approve Reentry 1115 Demonstration Waivers

In April 2023, the Centers for Medicare and Medicaid Services (CMS) issued guidance encouraging states to apply for a new Section 1115 demonstration opportunity aimed at testing strategies to support community reentry for people who are incarcerated. As of January 15, 2025, CMS had approved Section 1115 reentry waiver requests from 19 states, with 7 states and DC with waivers under review¹³. To maximize their impact, reentry waivers should be encouraged, and the review and approval process streamlined to ensure timely implementation of programs that provide critical healthcare access both pre- and post-release.

Medicaid 1115 waivers benefit both incarcerated individuals and correctional staff by enhancing access to essential healthcare services and improving care coordination. For incarcerated individuals, these waivers address urgent health needs, such as mental health challenges, disabilities, substance use disorders, and chronic conditions, supporting better health outcomes and smoother transitions to community life. For correctional staff, the waivers reduce the frequency of in-custody medical crises, alleviate workplace stress, and contribute to a safer, more stable environment. By fostering a holistic approach to healthcare that prioritizes both individual well-being and institutional functionality, these waivers strengthen the overall system, benefiting all stakeholders involved.

LEGISLATION

¹¹<https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2023-03-29/eligibility-confined-or-incarcerated-individuals-receive-pell-grants-updated-sept-30-2024>

¹²<https://www.chronicle.com/article/more-students-will-leave-prison-with-college-credit-are-colleges-ready?>

¹³<https://www.ncan.org/news/689184/Supporting-Justice-Impacted-Students-Through-Re-Entry-and-Post-Release.htm>

¹³<https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/index.html>

Increase Pathways for Successful Reintegration

Invest New Funding to Existing Congressional Reentry Programs to Match the Scope and Scale of Mass Criminalization and Carceral Control

While the federal government funds a range of employment, workforce, and other supports, only two statutorily guided programmatic funding streams direct employment, training, workforce, and support services specifically toward people who have been systems impacted. These two streams are the Second Chance Act and the Reentry Employment Opportunities (REO) program which operates as a pilot program under the Workforce Innovation and Opportunity Act (WIOA). In total, approximately \$200 million was appropriated by Congress for employment and training resources specifically for people returning from incarceration in FY22. In comparison, the system of mass incarceration costs the government and families of persons with lived experience at least \$182 billion every year.¹⁴

At minimum, Congress must:

- **Reauthorize the Workforce Innovation and Opportunity Act (WIOA) - (H.R.6655) inclusive of a fully-codified national reentry title** that ensures workforce, training, education, and support service resources are made available in each local workforce area to people returning from incarceration, recently released individuals, and those with criminal records who are long past a conviction but who are still negatively impacted economically. Continued funding of REO is critical if we are to reverse the impact of high incarceration rates.
- **Reauthorize the Second Chance Act (S.4477/H.R. 8028) inclusive of broadened provisions for housing, recovery, and workforce development** to build on current efforts to provide opportunity for persons with lived experience in the criminal legal system. The dearth of federal spending on quality employment programs and practices focused on systems-impacted individuals must be remedied. These key funding streams are imperative for successful reentry.

Repeal the Felony Drug Ban on SNAP and TANF Benefits

At the height of the “war on drugs,” when extreme punitiveness guided policymaking, Congress passed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). The Act imposed a lifetime ban on food assistance (SNAP) and cash assistance benefits (TANF) for people with a previous state or federal drug felony conviction. Today, twenty-one states still enforce the SNAP drug felony ban to some degree. These “modified bans” limit which convictions may be eligible coupled with mandatory program participation, waiting periods, and random drug testing. One state, South Carolina, still enforces a lifetime ban.¹⁵

¹⁴<https://www.prisonpolicy.org/reports/money.html>

¹⁵<https://ccresourcecenter.org/2023/12/06/accessing-snap-and-tanf-benefits-after-a-drug-conviction-a-survey-of-state-laws/>

Formerly incarcerated people are more than twice as likely to suffer food insecurity than the general public, and because of the disproportionate rates of drug related convictions among people from marginalized communities are disproportionately impacted.¹⁶ Other studies have found that the federal SNAP ban led to higher rates of rearrest and repeated contact with the criminal legal system.¹⁷ The SNAP ban affects not only the returning citizen, but also their family.

Public benefits and supports like nutrition assistance, housing, cash assistance, and health care are the foundational supports necessary for all humans to be successful. Unfortunately, people returning from incarceration continue to be at a deficit as they are often denied access to these critical support systems. We urge Congress to end the bans on SNAP and TANF to ensure persons reentering have access to the basic human needs necessary to thrive.

Pass the Reentry Act of 2023 (S.1165/H.R. 2400) and the Due Process Continuity of Care Act (H.R.3074/S.971)

The Due Process Continuity of Care Act and Reentry Act of 2023 work in tandem to create access to Medicaid, pending state options, for persons both detained in pretrial status as well as those preparing for reentry.¹⁸ Exclusions to Medicaid-funded services for persons incarcerated often creates barriers to supporting transitions to health care services upon release for directly impacted citizens. Each of these pieces of legislation work to ease this impact by restoring access to key health interventions that are essential to the health outcomes of persons who are incarcerated.

Remove Barriers to Economic Mobility and Civic Participation

Amend the Fair Credit Reporting Act to align conviction history reporting restrictions with those for other adverse information, and require that consumers receive adverse reporting before the requesting agency

Background checks by employers, landlords, and others, enabled by consumer reporting agencies (CRAs), are a major cause of unemployment and housing insecurity among systems-impacted people. The Fair Credit Reporting Act protects consumers by applying a look back period which prohibits CRAs from releasing “any other adverse item of information, *other than records of convictions of crimes* which antedates the report by more than seven years.”¹⁹ This carveout for records of convictions of crimes after seven years consigns millions of people to lifelong stigma.

The use of background checks is ubiquitous; about 94% of employers and about 90% of landlords use them to evaluate prospective employees and tenants as do 72% of colleges and universities.²⁰ Lawsuits and investigations by both government and advocacy groups have, for

¹⁶<https://www.prisonpolicy.org/graphs/foodinsecurity350x370.html>

¹⁷<https://alliancetoendhunger.org/collateral-consequences-of-snap-drug-felony-ban-addressing-food-insecurity-among-returning-citizens/>

¹⁸<https://www.congress.gov/bills/118/congress/senate/bills/971?q=%7B%22search%22%3A%22due+process+continuity+of+care+act%22%7D&s=1>

¹⁹15 U.S.C. § 1681c(a)(5) *emphasis added*

²⁰<https://www.nclc.org/resources/report-broken-records-redux/>

years, exposed the inaccuracies that are endemic to this under-regulated, multi-billion dollar industry. According to the National Consumer Law Center, background screening companies generate conviction record reports that:

- Mismatch the subject of the report with another person,
- Include sealed or expunged records,
- Omit information about how the case was disposed of or resolved,
- Contain misleading information, and
- Misclassify the offense reported.²¹

Additionally, there is a general lack of clarity regarding how charges dropped in the midst of litigating a case should be handled with regard to consumer reporting. Further, consumers applying for employment and housing often do not receive their statutorily required personal copy of their consumer information until after the requesting agency has made a decision and acted on it. All consumers have a right to not only obtain their consumer data, but also to ensure it is accurate. These problems amount to systematic negligence with opportunity-ending consequences for millions of people.

It is time for the Fair Credit Reporting Act to be revisited to give the statutory power necessary for the Federal Trade Commission (FTC) and the Consumer Financial Protection Bureau (CFPB) to redouble their efforts. Until the FCRA is amended to include convictions under the seven-year look back rule, federal regulators must do everything possible to ensure the industry adheres to the FCRA requirement that it use “reasonable procedures to assure maximum possible accuracy of the information” including the speed of adverse reporting to consumers.²²

Pass the Clean Slate Act (H.R.2930) (S.5266)

The Clean Slate Act would automatically seal the records of nonviolent drug-related crimes and create a new, streamlined record-sealing process for other qualifying, nonviolent crimes.²³ To date, twelve states have enacted clean slate laws to regulate the background check industry and protect the rights of systems-impacted people, and clean slate campaigns are active in many other states.²⁴ The answer to the federal second chance challenge is straightforward. Enacting federal Clean Slate policies would establish the first standardized process for clearing federal records, expand access to second chances by automating the clearance of eligible records, and provide financial support for state efforts to implement similar reforms.

Once individuals have completed their sentence and remained crime-free for a set period, they should be given the opportunity to live without the restrictions imposed by their criminal record.

²¹<https://www.nclc.org/report-rampant-errors-on-criminal-background-check-reports-are-still-preventing-consumers-from-securing-jobs-and-housing/>

²²<https://www.federalregister.gov/documents/2022/10/26/2022-23264/fair-credit-reporting-facially-false-data#:~:text=Among%20these%20is%20the%20requirement%20that%2C%20when,incluing%20facially%20false%20data%20in%20consumer%20reports>

²³<https://www.congress.gov/bills/118th-congress/house-bill/2930>

²⁴<https://www.cleanslateinitiative.org/states>

By passing federal Clean Slate legislation, Congress can offer Americans a real second chance to lead productive, fulfilling lives.

Pass the Inclusive Democracy Act (H.R.6643)

Felony disenfranchisement is a remnant of the Jim Crow laws that robbed African Americans of their fundamental civil rights. Today, an estimated four million people are disenfranchised due to a felony conviction. Today, one in 22 African Americans of voting age is disenfranchised, a rate more than triple that of non-African Americans.²⁵

Because state laws govern an individual's right to vote depends on where they happen to live:

- In 23 states, people lose their voting rights only while incarcerated, and receive automatic restoration upon release.
- In 15 states, people lose their voting rights during incarceration, and for a period of time after, typically while on parole and/or probation.
- In 10 states, people lose their voting rights indefinitely for some crimes, or require a governor's pardon for voting rights to be restored, face an additional waiting period after completion of sentence (including parole and probation) or require additional action before voting rights can be restored.²⁶

For the millions of formerly incarcerated Americans who are still barred from exercising their basic democratic rights, the Inclusive Democracy Act would remove the reality of second class citizenship. The Inclusive Democracy Act ensures that citizens with conviction histories retain the right to vote in federal elections during a period of incarceration and that they receive proper notification and support regarding their voting rights, including registration and voting processes. It also provides guidance to prevent prosecution for errors in voting and offers a private right of action for enforcement of these protections.²⁷ Making the exercise of voting, a fundamental right, contingent upon which state you happen to live in is inherently unfair.

Pass the Marijuana Opportunity Reinvestment and Expungement (MORE) Act (H.R. 3884 / S.2227) to address the disproportionate impact of marijuana criminalization on people of color, including community reinvestment, etc.

The House of Representatives' passage of the MORE Act of 2020 a holistic approach to marijuana legalization that begins to address the oppressive drug laws and policies that have contributed to the disproportionate incarceration of many American citizens, and the "white washing" of the burgeoning cannabis industry. But decriminalization or legalization of cannabis alone falls far short of addressing the damage that the war on drugs has had on marginalized communities. For example, 46.9% of people arrested for drug violations are minorities, despite

²⁵<https://www.sentencingproject.org/reports/locked-out-2024-four-million-denied-voting-rights-due-to-a-felony-conviction/>

²⁶<https://www.ncsl.org/elections-and-campaigns/felon-voting-rights>

²⁷<https://pressley.house.gov/2023/12/06/pressley-welch-unveil-historic-bill-to-guarantee-right-to-vote-for-incarcerated-citizens/>

only making up only 31.5% of the U.S. population.²⁸

These disparities exist even as whites and minorities use drugs at the same rates.²⁹ In states where cannabis has been decriminalized or legalized, discrimination still exists. For example, in Colorado, between 2012 and 2014, arrests for cannabis related offenses decreased 51% for white people, but only decreased by 33% and 25% for minorities respectively. And in Washington D.C. minorities are 11 times more likely to be arrested for the use of cannabis in public spaces.³⁰ The legalization of cannabis is only one important step towards reversing the damage caused by the war on drugs.

Policymakers must continue to work with directly-impacted people that have lived experience with the injustices of the legal system to pass the MORE Act, as well as comprehensive cannabis reforms that include community reinvestment, expungement of past convictions, and the elimination of collateral consequences and discriminatory penalties for drug convictions.

Reduce Correctional Spending

Repeal and reverse the impact of the 1994 Crime Bill (H.R. 3355)

The Violent Crime Control and Law Enforcement Act of 1994, more widely known as the '94 Crime Bill, enacted sweeping legislation that energized an already growing era of mass criminalization. As the most sweeping crime bill of the century -- and despite drops in crime rates prior to its introduction -- the Act codified draconian federal three-strikes laws and mandatory minimums, while at the same time expanding capital punishment and green-lighting a new age of extreme sentencing. Among its now-infamous measures, the Act included a \$9 billion provision to subsidize the growth of state prisons and jails, funding for nearly 100,000 new state and local police, and excessive weaponry to law enforcement that militarized local police forces across the country.³¹ Upon enactment of the Crime Bill, the federal government was twice as likely to charge minorities with mandatory minimums as it did others.³²

Thus, at each stage of the criminal legal process – from pretrial detention, to inadequate public defense, to prosecutors leveraging fear for plea deals, to time spent in jail and prison and solitary confinement – minorities were disproportionately targeted by mass punishment. State legislatures were incentivized by federal funds to follow the lead of the federal government in troubling fashion, enacting mandatory minimums and three-strikes laws, expanding felony offenses, enabling lengthier sentences, and dismantling opportunities for early release. From 1994 to 2007, the rate of imprisonment doubled, as did state expenditures on incarceration.³³ Driven by fear-mongering and divisive politics, the 1994 Crime Bill traded on the criminalization of

²⁸<https://drugpolicy.org/issues/drug-war-statistics>

²⁹<https://www.naacp.org/criminal-justice-fact-sheet/>

³⁰<https://drugpolicy.org/legalization-status-report>

³¹<https://www.themarshallproject.org/2016/04/11/bill-clinton-black-lives-and-the-myths-of-the-1994-crime-bill>

³²<https://www.ojp.gov/pdffiles1/Digitization/137910NCJRS.pdf>

³³<https://www.brennancenter.org/our-work/analysis-opinion/complex-history-controversial-1994-crime-bill>

minority people, particularly young people, to generate political currency and bolster a militarized police state in economically marginalized neighborhoods.

Repealing and reversing the harms of the Violent Crime Control and Law Enforcement Act of 1994 must be a priority. Federal solutions must ensure restorative justice and community alternatives and foster healing, through recommendations such as the extension of free college programs into all state and federal carceral facilities and is dedicated to ending the proliferation of new jails and prisons across the country.

Pass the Correctional Facility Disaster Preparedness Act (S.4156/H.R. 5279)

Before the COVID-19 pandemic, correctional facilities were already in a state of crisis. Despite the National Emergency declaration in March 2020 which included a mandate to decrease incarceration to stop the spread of the virus, few people were released to home confinement and the virus quickly spread to incarcerated people and correctional officers

The Correctional Facility Disaster Preparedness Act would protect the health and safety of incarcerated individuals, correctional staff, and other personnel employees during a presidential disaster declaration. The Act would:

- **Strengthen oversight by requiring the Bureau of Prisons (BOP) to provide an annual damage assessment report** to Congress after a presidential disaster declaration and its effects on federal inmates' health and safety, as well as corrective actions to resolve preparedness gaps.
- **Expand the National Institute of Corrections (NIC) Advisory Board membership by permanently appointing three new members:** (1) a formerly incarcerated individual, (2) an emergency coordinator and (3) a public health expert with an educational and professional background working with communicable diseases to evaluate emergency preparedness and correctional policies.
- **Require the National Institute of Corrections (NIC) Advisory Board to publicly examine how correctional facilities can better incorporate considerations for incarcerated individuals** in their emergency preparedness plans and recovery efforts.³⁴

These measures are critically important in protecting the health and safety not only of those serving time, but the corrections officers and other Bureau of Prisons staff who are also at risk when a public health or natural disaster emergency strikes.

Oppose the Halt Fentanyl Act (H.R. 27)

Congress has regulated drugs since the 19th century, beginning with tariffs and controls on narcotics like opium.³⁵ The 1914 Harrison Narcotics Tax Act marked the start of federal oversight on the legal trade of narcotics and criminal penalties for trafficking. In 1970, the Comprehensive

³⁴<https://lieu.house.gov/media-center/press-releases/rep-lieu-introduces-bill-improve-disaster-preparedness-federal-prisons>

³⁵<https://sgp.fas.org/crs/misc/R45948.pdf>

Drug Abuse Prevention and Control Act (CSA) created a unified federal drug regulation framework. Taken in totality, these efforts have disproportionately impacted marginalized communities and those living in poverty. In December of 2024, the United Nations' human rights chief declared, "The 'War on Drugs' destroyed lives and damaged communities. Criminalisation and prohibition have failed to reduce drug use and deter drug-related crimes. We need new approaches prioritising health, dignity and inclusion..."³⁶ The rhetoric central to the failed War on Drugs continues, however, to persist.

In 2018, Congress issued a temporary scheduling policy for Fentanyl Related Substances (FRS). Since then, Congress has only temporarily extended this provision, most recently to March 31, 2025. However, efforts continue to move toward permanent scheduling of all FRS. If passed, this bill would harm the criminal justice system, undermine efforts to reduce overdose deaths, and set a dangerous precedent for drug scheduling. A public health approach to the opioid and fentanyl crisis must continue to be prioritized through rejecting these scheduling efforts.

Pass the FIX Clemency Act (H.R.6234)

The FIX Clemency Act represents a crucial step toward improving the federal clemency process, addressing the systemic delays and challenges that have long plagued the system. Currently, the Department of Justice's central role in the clemency process has led to significant delays, often sidelining clemency as an effective tool for justice and fairness. The Act proposes the creation of an independent Federal Clemency Board, which would provide regular, evidence-based recommendations directly to the President, ensuring a more impartial and transparent process. Composed of legal experts, criminal justice advocates, and individuals with lived experience, this diverse board would establish clear criteria for evaluating petitions, focusing on rehabilitation, sentencing disparities, and humanitarian concerns. By removing clemency from the purview of the DOJ, the Board would operate free from prosecutorial influence and be empowered to issue quarterly recommendations to the President.

Pass the Smart Sentencing Adjustment Act (H.R.2931/S.1342)

This legislation is aimed at reimagining the federal criminal legal system and addressing the issues of over-incarceration in U.S. prisons. With the world's highest incarceration rate, the U.S. spends an unconscionable amount of public resources on locking up hundreds of thousands of people who pose no real threat to public safety. It is estimated that the nation spends \$80 billion annually on incarceration.³⁷

Reducing state prison populations is key to ending the era of mass incarceration. Eighty percent of incarcerated individuals are housed in state prisons.³⁸ The Act would provide federal funding

³⁶[https://news.un.org/en/story/2024/12/1157836#:~:text=\(file%20photo\)-,War%20on%20drugs%20has%20failed%2C%20completely%20and,utterly%20A%20UN%20human%20rights%20chief&text=The%20UN%20human%20rights%20chief,lives%20and%20damaged%20entire%20communities%E2%80%9D](https://news.un.org/en/story/2024/12/1157836#:~:text=(file%20photo)-,War%20on%20drugs%20has%20failed%2C%20completely%20and,utterly%20A%20UN%20human%20rights%20chief&text=The%20UN%20human%20rights%20chief,lives%20and%20damaged%20entire%20communities%E2%80%9D).

³⁷This estimate has been criticized as too low. See, <https://nicic.gov/weblink/economic-burden-incarceration-us-2016>;

https://ijrd.csw.fsu.edu/sites/g/files/upcbnu1766/files/media/images/publication_pdfs/Economic_Burden_of_Incarceration_IJRD072016_0_0.pdf

³⁸<https://bjs.ojp.gov/library/publications/census-state-and-federal-adult-correctional-facilities-2019-statistical-tables>

as an incentive to state governments to reduce incarceration while reducing crime. It would create a \$2 billion grant program to reward states that shrink their prison populations by 20% over three years and offer participating states a wide variety of policies and programs for supporting people who have been in prison so they don't return, making communities safer and providing alternatives to incarceration.³⁹ It is time to end the United States' unenviable status as the world's largest jailer. The Smart Sentencing Adjustment Act will be a step in the right direction.

CONSTITUTIONAL

Repeal the Thirteenth Amendment's conditional exception permitting involuntary servitude for incarcerated people

The 13th Amendment to the United States Constitution abolished slavery and involuntary servitude "except as a punishment for crime whereof the party shall have been duly convicted." This exception has perpetuated a system where people who are incarcerated, disproportionately from communities that are marginalized, can be exploited for forced labor. This provision not only undermines the moral foundation of the 13th Amendment but also allows for the continuation of practices that echo the injustices of slavery under the guise of criminal punishment.⁴⁰

A constitutional amendment to remove this exception would affirm that all forms of slavery and involuntary servitude are unequivocally prohibited in the United States. By closing this loophole, the nation can align its practices with its principles, ensuring dignity and fairness for all individuals, including those impacted by the criminal justice system. Advocates and lawmakers have a historic opportunity to take a stand for justice and equality by supporting this change, creating a future where exploitation has no place in the fabric of American society. Ending the exception is not just a legal reform—it is a moral imperative.

³⁹<https://www.brennancenter.org/our-work/analysis-opinion/sen-cory-booker-and-rep-tony-cardenas-introduce-bill-help-states-reduce>

⁴⁰<https://worthrises.org/ourcampaigns>

<https://static1.squarespace.com/static/5f47b3641ee69c69c7889cc6/t/65b9750c440294445b60056f/1706652940634/2024+-+CBA+of+Ending+Prison+Slavery+Report.pdf>

APPENDIX

JLUSA's Unique National Structure

JLUSA's initiatives center the personal and professional expertise of our network of directly impacted Leaders. This value, coupled with our hands-on involvement in policy-based action, means that JLUSA is the only organization committed to ensuring formerly incarcerated individuals play a leadership role in decision-making around mass incarceration, public safety, and reentry on a national level.

JLUSA procures our vision of a more just United States by educating people most affected to drive policy reform through our leadership training programs and our national policy table.

Roadmap Implementation

JLUSA is working with its partners and allies to implement the Roadmap's policies at the federal level. Since its inception in April 2023, its policy arm, the JustUS Coordinating Council, has grown to 346 members and 146 member organizations who have tapped into current and emerging national policies and regulations by engaging and collaborating with the more than 30 federal government agencies. By carefully examining and informing policies and regulations that impact our lives and our communities, the JustUS Coordinating Council's directly impacted-leaders and allies ensure that key resources and programs are brought to our community members.

Our Impact

JustLeadershipUSA is active in 48 states and Washington D.C. JLUSA's wide reaching scope means that our actions are informed by directly impacted experts that represent the entire U.S. The JustUS Coordinating Council has become the go-to resource that informs decision making, from the federal, state, and local level allocations and appropriations to holistically address the needs of communities most impacted. This Council is the connective tissue needed to catalyze full participation in policy changes for FIP/DI (formerly incarcerated people/directly impacted) individuals and their communities.