



The Honorable Chuck Schumer
Majority Leader
United States Senate
Room S-221, The Capitol
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Room S-230, The Capitol
Washington, DC 20510

April 5, 2022

Re: Oppose the PROTECT Act of 2022

Dear Majority Leader Schumer and Minority Leader McConnell:

Federal mandatory minimum sentencing policies are among the harshest in the nation. The U.S. Supreme Court, Congress and the U.S. Sentencing Commission have acted in a bipartisan way for almost 20 years to address these penalties in order to create more fairness, proportionality and equity in sentencing. Unfortunately, new legislation – the PROTECT Act of 2022 – introduced by Senator Hawley, and poised for consideration under unanimous consent today, would undermine this bipartisan consensus. This bill ([S.3951](#)) would create new mandatory minimum sentencing policies, including an attempt to establish mandatory sentencing guidelines – previously ruled unconstitutional – for certain offenses. The Sentencing Project urges you to oppose this legislation.

- This bill would **increase incarceration** by creating a new mandatory minimum sentence and mandatory sentencing guidelines.
- Mandatory sentencing **limits vital judicial discretion** that allows judges to consider multiple factors consistent with the federal sentencing statute in each case that comes before them.

S. 3951 has far-reaching implications for eroding fairness and justice, including the potential to usher in a new era of mandatory minimums. We urge you to oppose the request for unanimous consent and vote no on the bill.

Please contact my colleague, Liz Komar, Sentencing Reform Counsel at The Sentencing Project, at lkomar@sentencingproject.org, if you have any questions.

Thank you,

Amy Fettig
Executive Director

cc: Members of the Senate