

## **Revised First Step Act: Violent Felons and Sex Offenders Still Eligible for Early Release**

After the bill's drafters first denied problems in the bill, the revised First Step Act finally excludes more crimes from the bill's new early release credits that prisoners can use to transfer into supervised release. Unfortunately, the following 35 crimes, including violent sex-offenses, are still eligible for early release in the December 11<sup>th</sup> version of the First Step Act:

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|---|---------------------------|
| 1. Committing rape as part of a war crime   | 18 U.S.C. § 2441(d)(1)(G) |
| 2. Bank robbery by force or violence including assault with a dangerous weapon  | 18 U.S.C. § 2113(c)       |
| 3. Drive-by shootings   | 18 U.S.C. § 36            |
| 4. Assaulting a law enforcement officer   | 18 U.S.C. § 111(a)        |
| 5. Carjacking with intent to cause death or serious bodily harm   | 18 U.S.C. § 2119(1)       |
| 6. Assaulting a child or infant   | 18 U.S.C. § 113(a)(5)     |
| 7. Bank robbery by force or violence that puts the life of a person in jeopardy   | 18 U.S.C. § 2113(d)       |
| 8. Performing biological experiments for torture as part of a war crime   | 18 U.S.C. § 2441(d)(1)(c) |
| 9. First time assault with intent to commit rape, unless have served time for certain other previous crimes                 | 18 U.S.C. § 3559(c)(2)(F) |
| 10. Committing torture as part of a war crime   | 18 U.S.C. § 2441(d)(1)(a) |
| 11. Assisting federal prisoners with jailbreak  | 18 U.S.C. § 752           |
| 12. Bank robbery involving assault or putting the life of a person in jeopardy with a dangerous weapon or device            | 18 U.S.C. § 2113(d)       |
| 13. Performing acts of violence on aircraft pilots or other individuals on aircrafts to endanger the safety of the aircraft | 18 U.S.C. § 32(a)(6)      |
| 14. Committing mutilation or maiming as part of a war crime   | 18 U.S.C. § 2441(d)(1)(E) |
| 15. Threatening to assault, kidnap, or murder a federal judge or law enforcement officer                                    | 18 U.S.C. § 115(a)(1)(b)) |
| 16. Drug-related robbery even if a person is killed or suffers significant bodily injury                                    | 18 U.S.C. § 2118(a)       |
| 17. Assault with a dangerous weapon with intent to do bodily harm   | 18 U.S.C. § 113(a)(3)     |

<b>18. Trafficking crystal meth, unless also a "manager, leader, organizer, or supervisor*" of the drug operation</b>	<b>18 U.S.C. § 841(b)</b>
<b>19. Racketeering, including violent crimes committed in aid of racketeering</b>	<b>18 U.S.C. § 1951</b>
<b>20. Bank robbery by force, violence, or intimidation</b>	<b>18 U.S.C. § 2113(a)</b>
<b>21. Genocide</b>	<b>18 U.S.C. § 1091</b>
<b>22. Prison guards or officers helping prisoners with jailbreak</b>	<b>18 U.S.C. § 755</b>
<b>23. Planting a bomb on or committing arson to a motor vehicle</b>	<b>18 U.S.C. § 33</b>
<b>24. Trafficking cocaine as a kingpin</b>	<b>18 U.S.C. § 841(b)</b>
<b>25. Trafficking heroin, unless also a "manager, leader, organizer, or supervisor*" of the drug operation</b>	<b>18 U.S.C. § 841(b)</b>
<b>26. Assault resulting in serious bodily injury</b>	<b>18 U.S.C. § 113(a)(6)</b>
<b>27. Assault by striking, beating or wounding</b>	<b>18 U.S.C. § 113(a)(4)</b>
<b>28. Assault with intent to commit any felony except murder or aggravated sexual abuse</b>	<b>18 U.S.C. § 113(a)(2)</b>
<b>29. Conspiracy or attempt to engage in human trafficking, including trafficking of children</b>	<b>18 U.S.C. § 1594</b>
<b>30. Hate crimes</b>	<b>18 U.S.C. § 249</b>
<b>31. Conspiracy to assault, threaten, intimidate, or impede a federal officer or employee</b>	<b>18 U.S.C. § 372</b>
<b>32. Destruction of an aircraft, including with an explosive device or substance</b>	<b>18 U.S.C. § 32(a)(1)-(4)</b>
<b>33. Blackmail</b>	<b>18 U.S.C. § 873</b>
<b>34. Extortion</b>	<b>18 U.S.C. § 875</b>
<b>35. Transporting or manufacturing a firearm or explosive device for use in a riot</b>	<b>18 U.S.C. § 231(B)</b>

\*- By only excluding “manager, leader, organizer, or supervisor” from early release, according to the Department of Justice, more than 90% of heroin and crystal meth traffickers are still eligible for early release