



U.S. Sentencing Commission
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NEWS RELEASE

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U.S. SENTENCING COMMISSION SELECTS POLICY PRIORITIES FOR 2014–2015 GUIDELINES AMENDMENT CYCLE

Continued Work on Mandatory Minimum Penalties, Review of Fraud Guidelines on List of Priorities

WASHINGTON, D.C. — The United States Sentencing Commission today unanimously approved its list of priorities for the coming year, including consideration of federal sentences for economic crimes and continued work on addressing concerns with mandatory minimum penalties.

The Commission once again set as its top priority continuing to work with Congress to implement the recommendations in its 2011 report on federal mandatory minimum penalties, which included recommendations that Congress reduce the severity and scope of some mandatory minimum penalties and consider expanding the “safety valve” statute which exempts certain low-level non-violent offenders from mandatory minimum penalties.

“The Commission acted unanimously this past year to reduce the guidelines governing federal drug sentences, which was an important first step to address the continuing crisis in federal prison populations and budgets, while also making the guidelines more effective and fair,” said Judge Patti Saris, Chair of the Commission. “But only Congress can make the more fundamental changes needed to fix the disparities and problems the Commission has found some mandatory penalties to cause and to more fully address excessive federal prison populations and costs. We look forward to continuing to work with Congress on this vital issue.”

As it did last year, the Commission noted in its priorities a focus on fulfilling its statutory mandate to work to reduce overcapacity in federal prisons.

The Commission also set out its intention to consider potential changes to the guidelines resulting from its multi-year review of federal sentences for economic crimes. The Commission identified sentences for “fraud on the markets” cases, with large loss amounts diffused over large numbers of victims who often have small losses, among the specific issues the Commission will consider.

“For the past several years, we have been reviewing data and listening to key stakeholders to try to determine whether changes are needed in the way fraud offenses are sentenced in the federal system,” Saris said. “We look forward to hearing more this year from experts on these issues and deciding whether there are ways the economic crime guidelines could work better.”

The Commission will also consider whether any amendments to the guidelines or statutory changes are appropriate to facilitate consistent and appropriate use of key sentencing terms including “crime of violence” and “drug trafficking offense.” The Commission will continue to work on multi-year projects to comprehensively study recidivism, including an examination of the use of risk assessment tools in sentencing.

The Commission is also undertaking new efforts this year to consider whether changes are needed in the guidelines applicable to immigration offenses and whether structural changes to make the guidelines simpler are appropriate, as well as reviewing the availability of alternatives to incarceration, among other issues.

“The Commission has worked in a bipartisan, cooperative way to improve federal sentencing in important ways, and we look forward to continuing to do so this year,” Saris said.

The Commission annually identifies policy priorities in accordance with its statutory authority and responsibility to periodically review, analyze, and revise federal sentencing guidelines. The Commission published tentative priorities and invited public comment in May and received more than 10,000 letters of public comment in response.

In accordance with its stated priorities, the Commission will review current criminal justice research and federal sentencing statistics and conduct hearings and solicit comment to gather feedback from a wide variety of sources. It will then promulgate amendments to the United States Sentencing Guidelines, which will be sent to Congress by May 1, 2014.

More information about the final priorities may be found on the Commission’s website www.ussc.gov or in the August 20, 2014 edition of the *Federal Register*.

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The United States Sentencing Commission, an independent agency in the judicial branch of the federal government, was organized in 1985 to develop a national sentencing policy for the federal courts. The resulting sentencing guidelines provide structure for the courts’ sentencing discretion to help ensure that similar offenders who commit similar offenses receive similar sentences.