

February 20, 2014

From:

Dexter Anderson
Reg. #07132-089
FCI MILAN
P.O. Box 1000
Milan, MI 48160

To:

U.S. Sentencing Commission
Attn: Public Affairs
One Columbus Circle, N.E., Ste. 2-500
Washington, DC 20002-8002

Re: Proposed Amendment

Dear Commission:

This letter is in support of the Commission's proposal to reduce all drug guidelines by two levels for 2014.

I do support this Amendment that all drug levels be reduced by two since this will ease the overcrowding in the federal prisons and also provide some much needed relief from these harsh drug laws that have been repealed but are still affecting those that have already been affected by the old mandatory minimum drug laws.

I do not support any limitations placed upon these possible Amendments or any "restrictions" that will cause more disparities in sentences for those with crack cocaine.

In particular this Commission imposed limitations on offenders that were convicted of crack cocaine in U.S.S.G. § 1B1.10(b)(2) (2011). This limitation affected those like myself that received an "below guideline sentence" pursuant to Blakely/Booker however, I did not provide substantial assistance to law enforcement.

Although I have crack cocaine and my guideline range has changed, this limitation prohibited the Court from granting me any relief from a twenty-five (25) year federal sentence.

These limitations cause confusion among the Courts and discriminates against those that should benefit from the amendments, especially for those that have crack cocaine. Therefore, I oppose any restrictions for those offenders with crack cocaine.

I do support that these proposed amendments be made retroactive. I also suggest that the "Post Sentencing Conduct" be expanded to allow offenders to seek a sentence reduction pursuant to 18 U.S.C. § 3582 based on an offenders rehabilitation regardless of any new amendments. This will encourage and give hope to offenders that may not benefit from changes in the guidelines.

Thank you for proposing this change...

Sincerely,

Dexter Anderson

Monday, March 10, 2014

U. S. Sentencing Commission

One Columbus Circle, NE., Suite 2-500

Washington, DC 20002-8002

Re: Proposed Amendment 3

Dear Judge Saris and Commissioners:

I am writing to support the commission's proposed Amendment to lower by two levels the base offense levels in the Drug Quality Table across drug types in guideline sec. 2d1.1 for drug trafficking offenses.

I have a son who has been lingering in prison for the past 24 years. He was sentenced to 405 months in prison for conspiracy to import 600 kg of cocaine (base offense level 40, plus 3 levels for managerial role, minus 2 levels for acceptance of responsibility: total offense level 41). He is a first time non violent offender. He was 33 years old at the time of offense in 1990. He is now 57 years old. His projected release is July 2019. He has maintained an excellent record of clear conduct in prison, and he also has an outstanding record of rehabilitation accomplishments.

The District Court denied his motion for reduction of guidelines level pursuant to 18 U.S.C. sec. 3582(c) (2) and Amendment 505. The Court's reason for its refusal, "the amount of drugs", did in fact overlooked the Commission's "Reason for Amendment" and Application Note 19. Amendment 505 set the upper limit at level 38 (so that quantities that produced a level 40 or 42 now produce level 38). Application note 19 allowed for an upward departure in an extraordinary case where the quantity of drugs was at least ten times the quantity required for level 38 (at least 1,500 kg in cocaine cases). The Court of Appeals affirmed (U.S. v. Cano 382 Fed. Appx. 811; 11th Cir. 2010). Thus, my son's base offense level still remains a level 40.

Although I do support the commission's proposal, I fear that the proposed amendment is not taking into consideration those first time nonviolent offenders like my son , who would otherwise be eligible for a guideline level reduction. The current version of the proposed amendment would not subsequently lower the guidelines range under which my son was sentenced, thus making him, and those in like

circumstance, ineligible for a change of guideline level (considering the proposed amendment be made retroactive). Ironically, those same kind of offenders, who would still remain in prison with long sentences, could probably have received a substantially lower sentence had the proposed amendment been in effect at the time of sentencing.

Should the commission consider my concerns above, I would respectfully suggest an extension of the drug quantity in the proposed level 38 to include the quantities that would prevent otherwise eligible defendants to fall within the top level 38 (if make retroactive). For instance, in Cocaine cases, to have: [450] KG but less than [1,500] KG of Cocaine. So that judge would not capriciously deny petitions from those who would remain sentenced under old guidelines levels 40 or 42 considering no other guidelines provision would make them not eligible. Allowing some defendants to remain in prison for quantity itself, except in a modified version of an extraordinary case, would only continue to punish them with sentences that are "greater than necessary" to ensure adequate punishment.

Those lengthy drug sentences hurt individual defendants and their families. Such long sentences have long contributed to the growing crisis in federal prison populations. Not to mention the DOJ's budgetary crisis to which the BOP is a major contributors. Therefore, I strongly impact the federal criminal justice system.

Thank you very much for considering my concerns and for the work the commission is doing in this important matter.

Sincerely,



Gabriel Cano

8060 SW 152 Ave.

Miami, Fl. 33193

E-mail: gadejeca@hotmail.com

Re: Proposed Amendment 3

Dear Judge Saris and Commissioners,

I am writing to support the commissioner's proposal to reduce all drug guidelines by two levels. Drug sentences are too long. Such long sentences hurt individuals, defendants, and their loved ones.

Lengthy drug sentences also contribute to the overcrowding crisis in our Federal Prisons. Federal prisons are 37% over capacity. This is dangerous for prisoners and prison staff alike, and it is a threat to public safety. The Bureau of Prisons is consuming more and more of the shrinking amount of money available to the justice department. This means fewer police officers, fewer prosecutors and less money for cities and countries to prevent crime. According to the Urban Institute the amount of time prisoners--- particularly a drug prisoner---- serves is the single most important factor in the growth of the federal prison population. Today half of the 216,000 people in Federal Prison are serving drug sentences, which averaged more than 70 months in 2012.

Lowering drug sentences by roughly 18 percent would be a strong first step in slowing the growth of the prison population and helping to ensure safe prisons and safe streets. And it would be the right thing to do. Federal drug sentences are far too lengthy and the change is an important first step to make this fairer.

Thank you for proposing this change.

Sincerely

Justin Dugate
1421 Tahoe Valley Ct.
Ballwin, MO 63021

PubAffairs

From: cynthia bentaulzos <cbentaulzos@gmail.com>
Sent: Tuesday, March 11, 2014 12:11 AM
To: Public Comment
Subject: Sentencing reform

Dear judge Saris and Commissioners,

I strongly support the proposed amendment "all drugs minus two". I believe mandatory drug sentences are too harsh and they separate families for too long.

My husband is currently facing a 10 year mandatory sentence, he was arrested back in April of 2013. I was pregnant at the time, my husband wasn't able to be at the birth of his first child, it was one of the hardest things I have ever experienced. Raising a child on my own is very hard I work two jobs to support myself and my baby, I think that instead of locking men away for such long periods of time they should receive help and be put to work so that they can help support their families, It would really make a difference for a single mother.

Mandatory sentences also cost the country billions of dollars each year that could be better spent to help the ones in need. A reform would save the country billions each year and it would reunite families.

Thank you for taking action on this problem, I have a lot of faith that a good reform will pass so that my son can have his father in his life as will many other children. I will be supporting a sentencing reform and will keep up to date with the USSC for further news on this topic.

Thank you once again for your time and effort .

Cynthia Bentaulzos

January 30, 2014

Re: Proposed Amendment 3

Dear Judge Saris and Commissioners,

I am writing in support of the Commissions proposal to reduce all drug guidelines by two levels.

Since the war on drugs prison populations have increased at an alarming rate due to the long mandatory minimum sentences being handed down daily in our communities. These long sentences have been a burden to the honest tax payers of our country. They have also contributed to the rise in juvenile crime due to our children having to grow up without one or both of their parents for many many years. I came to Federal prison in 1995 as a 25 year old non-violent first time drug offender who rolled the dice and went to trial. I was convicted of drug conspiracy and held accountable for all the drugs found during the conspiracy. I received a 420 month (35 years) sentence. For the past 20 years I have witnessed non-violent drug offenders come into Federal prison as young men who are not eligible to leave until they are old men.

According to the Urban Institute the amount of time non-violent drug offenders serve is the single most important factor in the growth of the Federal prison population. Today more than half of the 216,000 people in Federal prison are serving drug sentences.

This proposal would be a strong first step in slowing the growth of the Federal prison population. The sentences being handed down today are longer for drug offense's than they are for more violent offense's. I am in no way saying that drug offenders don't deserve time but to spend their whole life in prison is for too long.

Thank you for proposing this change:

Sincerely,



Larry Henricks #04650-046
P.O. Box 1000 C-Unit
Sandstone, MN 55072

Mass Incarceration Working Group
First Parish Unitarian Universalist of Arlington
630 Massachusetts Avenue
Arlington, MA 02476
February 19, 2014

U.S. Sentencing Commission
Attn: Public Affairs
One Columbus Circle, N.E., Suite 2-500
Washington, DC 20002-8002

Re: Proposed amendment 3

Dear Judge Saris and Commissioners,

We are writing as people of faith to support the Commission's proposal to reduce all drug sentencing guidelines by two levels.

We are Unitarian Universalists who are deeply concerned about the excessive incarceration of people in our country. Many religious traditions, including ours, teach about the sanctity of the human spirit and the importance of human dignity. We believe that excessive or unnecessary incarceration is profoundly damaging – to the individuals involved, to their families and communities, and to the principles of justice and respect that must underpin any good society.

Lengthy drug sentences contribute to the overcrowding of our prisons. They are financially expensive, and every dollar spent on prisons is not available for other purposes. Their human costs are incalculable but profound.

We believe that drug abuse should be considered a public health issue and a spiritual issue. We believe that federal drug sentences are far too long. And we strongly support you in reducing them.

Thank you very much for proposing this change.

Sincerely,

The Mass Incarceration Working Group of the First Parish Unitarian Universalist of Arlington

Lois J. Kenschaff
Lois J. Kenschaff
William J. Jordan
William J. Jordan
Marcia Butman
Anan Schwamm

Mary Fusoni
Mary Fusoni
Sue W. Job
Sue W. Job
Patricia C. Miller
Patricia C. Miller
Steve Stroh
Steve Stroh
Richard C. Cant

January 18, 2014

U.S. Sentencing Commission
Attn: Public Affairs
One Columbus Circle, N.E., Suite 2-500
Washington, DC 20002-8002

Re: Proposed Amendment 3

Dear Judge Saris and Commissioners,

I write this letter in support of the Commission's proposal to reduce all drug-sentencing guidelines by two levels. As a social worker and advocate for human rights, I believe that the current sentencing laws pose dire problems not only for the incarcerated individuals but for their family members as well, especially their children. While I do not have any personal experience involving mandatory minimum sentencing laws, my education as a Master's level social work student has provided me insight regarding the adverse consequences of this national epidemic.

As part of my graduate work, I researched the impact mandatory minimum drug sentencing laws have on mothers. According to the Bureau of Justice Statistics, the number of children with a mother in prison has more than doubled between 1991 and 2008, and many of these women were incarcerated for low-level drug offenses. For the four out of ten inmates who are single mothers, their incarceration may initiate the involvement of their state's child welfare system and the concomitant time constraints for reunification posed by the national Adoption and Safe Families Act. Women whose sentences exceed the fifteen-month threshold of foster care involvement risk having their parental rights terminated. Due to the mandatory minimum drug sentencing laws for simple possession, this is often a real possibility. Even in instances where the mother's sentence is the USSC reported mean of five months for simple possession, that still gives her less than ten months to attain housing, secure suitable employment, and complete substance abuse treatment – the former two of which prove difficult in light of a criminal record.

While I do not wish to minimize the ill effects of illicit substance use nor condone the activity, I believe it is important to recognize that what those who are addicted to substances need most is treatment, not overly punitive measures. There are many contributing factors regarding the reasons why a person may choose to use a substance and sending them to prison for lengthy periods of time does not guarantee recovery. While my vision for reduced sentences extends beyond the current proposed amendment, I commend you for considering this important first step towards reduction of mandatory drug sentencing lengths.

Sincerely,

A handwritten signature in black ink that reads "Chanel Nagaishi". The signature is written in a cursive, flowing style.

Chanel Nagaishi

(Date) February 06 2014

United States Sentencing Commission
Attention: Public Affairs
One Columbus Circle, N.E.
Suite 2-500,
Washington, D.C. 20002-8002

Dear Members of the U.S. Sentencing Commission:

I am writing because I support Prisolgy s work, and the U.S. Sentencing Commission s decision to consider implementing an across the board two-level reduction to the drug quantity table.

Since the U.S. Sentencing Guidelines were first adopted in 1987, the drug quantity table and other Guideline provisions have become increasingly more punitive without regard to the attendant economic and social costs. The amendment the Commission is presently considering will modestly improve the status quo, but amendments to the fraud, immigration, and other Guidelines should also be adopted.

Furthermore, for the two-level drug quantity amendment to have practical effect on sentenced defendants, it must be deemed retroactively applicable. The federal courts are clearly capable of handling retroactive application of this amendment given the smooth implementation of the two prior retroactive crack cocaine Guideline amendments. Accordingly, I strongly urge the Commission to make this amendment retroactive.

Thanks again for considering my comments, and the work the Commission is doing on these important issues.

Sincerely,

James Martinez #30493-037

(Your Name)

United States Penitentiary
P.O. Box 26030

(Address)

Baumont, TX 77720-6030

(City, State and Zip Code)

I am writing today because I care about federal prison reform, and the work Prisolgy does on these fronts. On December 19, 2013, the U.S. Senate Judiciary Committee was set to vote on S.619, Justice Safety Valve Act of 2013, S.1410, Smarter Sentencing Act of 2013, and S.1675, Recidivism Reduction and Public Safety Act of 2013. These bills, if passed, will help bring about modest--but still much needed--reforms to the federal criminal justice system. To the hope and dismay of 219,000 federal prisoners, and their many millions of voting loved ones and friends, the Committee again postponed action on these bills. The postponement was due to some sort of "compromise" legislation that is being sought by unknown members of the Committee.

For too many years, politicians have been "talking" about implementing federal criminal justice reforms, only to never follow through. I am fed up with all of the empty promises and lack of action.

Further, I strongly oppose any sort of "compromise" legislation. Any "compromise" would most certainly result in watered down reforms. S.619, S.1410, and S.1675 already do not go far enough. For example:

S.619 -- Gives federal judges the ability to depart below the mandatory minimum, where appropriate, BUT DOES NOT APPLY RETROACTIVELY TO OFFENDERS WHO HAVE ALREADY BEEN SENTENCED. This is unjust. The federal courts are capable of considering motions for retroactive application of the Justice Safety Valve Act, just as the federal courts capably handled retroactive application of the U.S. Sentencing Commission's two crack cocaine amendments to the federal sentencing guidelines.

S.1410 -- This legislation would make the Fair Sentencing Act (FSA) retroactive, and reduce additional mandatory minimum penalties for offenders. The reduced mandatory minimums unrelated to the FSA, however, WOULD NOT BE RETROACTIVELY APPLICABLE. Once again, this is unjust.

S.1675 -- This legislation would give federal prisoners additional good time earning opportunities through successful re-entry related programming. However, the legislation caps the total amount of programming credits a prisoner can earn to no more than 15% of the total sentence. This cap should be REMOVED, or increased to permit prisoners to earn programming credits equal to 50% of their total sentence. In addition, the bill's language should be modified to permit federal prisoners to receive programming credit for programs that were successfully completed PRIOR TO THE PASSAGE OF THE ACT.

Before the Sentencing Reform Act of 1984 was enacted, federal judges had the authority under Rule 35 of the Federal Rules of Criminal Procedure to correct illegal sentences, and to show compassion on defendants, post-sentencing, where necessary. The Committee should give federal courts the authority under Rule 35 to adjust sentences after sentencing, at any time, where justice so requires. Such a provision would permit judges to apply legislative changes that reduce sentences in individual cases where appropriate. I hope that you and your staff will take my comments seriously, and work to address the issues I have identified herein. The system is broken, and we must change it.

Sincerely,

Finesse L. Bunko

Your Name

1450 Osborne Ave NE Apt 111

Your Address

Fridley, MN 55435

City/State/Zip Code

PubAffairs

From: Tim Lones <hhcj2013@aol.com>
Sent: Wednesday, March 12, 2014 4:10 PM
To: Public Comment
Subject: Tweaks aren't whats needed

Hello, im writing to ask that the proposed tweaks of reducing 11 months for some drug sentences be voided, and discretion given back to the judges who are more than qualified to administer the law. Not everyone arrested threatens society or requires the extreme punishment the draconian penalties place on offenders today. The best thing would be to do away with mandatory sentencing period, There is no way to be just when using such a system. Everyone and every situation is different, if we must use minimums they should start far lower than 5. 10 or 20 years. Thats just cruel punishment not corrections. Minimums of 1 yr first offense, 3 years second offense, 10 years third are better suited. What good have we done in preventing a user access to drugs from any dealer and destroy a entire family in the process, all while the user will simply call or use another dealer whom they more than likely already know. None of this addresses the real problem of demand which can only be addressed through treatment and education not incarceration.

Drugs minus 2

WILLIAM LAKE <wptl@bellsouth.net>

Mon 3/3/2014 8:23 AM

To: Public Comment <Public_Comment@ussc.gov>;

I am requesting that you not lower the sentencing fines for drug related sentences. So many people have been hurt by these folks. I have multiple friends who have children that have been affected both by those who are in jail and by those who are not but should be. These people hurt so many others besides themselves and do not care. Those who get caught and serve their time need to serve their time. **DO NOT LET THEM OFF.** Thank You

PubAffairs

From: Ryan Gibbons <missinjry@yahoo.com>
Sent: Thursday, January 30, 2014 6:58 PM
To: Public Comment
Subject: Federal drug sentencing guidelines

To whom this may concern,

I understand you are considering changing sentencing guidelines for drug offenses. As a mother of 4, I am disturbed by this proposition. I am even more alarmed by the notion of making this retroactive!!! These people have committed crimes and have been sentenced for those crimes appropriately! I am so tired of hearing how they are "non violent offenders" and "murders are doing less time". Drug addicts terrorize families with there selfish and self centered destruction! They are like tornadoes that tear through the lives of the very people they claim to love. My children's grandmother is in federal prison for one of these "non violent" crimes, and I pray every day that she stays there and finishes her COMPLETE sentence! She plays the " grandma card" when it's convenient, but the truth is she has never cared enough to learn there names. Please continue to hold these offenders accountable for there choices!

Sent from my iPhone