

Public Affairs

From: ROSHAWN
Sent: Saturday, July 18, 2015 7:17 PM
To: Public Comment
Cc:
Subject: 2015/2016 Priority - Career Offender Law

US Sentencing Commission,

Please place the Career Offender law as a priority. The drug offenders are not allowed to benefit from any amendments to the drug laws, simply because they are career offenders. It is my opinion that this reasoning is flawed.

Although a Career Offender's sentence may be based on the Career Guideline 4B1.1, a guideline not affected by 782, it is ultimately the "offense" that was one of the factors that placed the offender in a career offender status. According to the statute(s), [I am not a lawyer, please excuse if incorrect terminology is used] a defendant is a career offender if (1) the defendant was at least eighteen years old at the time the defendant committed the instant offense of conviction; (2) the instant offense of conviction is a felony that is either a crime of violence or a controlled substance offense; and (3) the defendant has at least two prior felony convictions of either a crime of violence or a controlled substance offense. I bring your attention to "crime of...a controlled substance offense". If any offender's crime wholly or partly involved "a controlled substance offense", he/she should be considered for any changes in the law that points back to that offense. After all, it was that particular "crime" that placed the offender in the "career offender" status. There are other inconsistencies within the Career Offender definition, as well. How can a person, mainly a young adult over 18 but under 25 be called a "career" offender just because they've made mistakes during a span of their life, where many young adults have trouble adjusting through.

Please, please, please look at this law. **You have career offenders that have been sentenced YEARS ago (15 plus, in their 20's) to an unreasonable amount of time, for crimes of a controlled substance offense, that are now non-violent men in their 40's and 50's.**

This is an injustice. All because "the system" wants to strictly use ever letter in the law, without any common sense or reasonable logic.

Thank you.
RoShawn Simpson

Springfield, MA 01118

27 July 2015

United States Sentencing Commission

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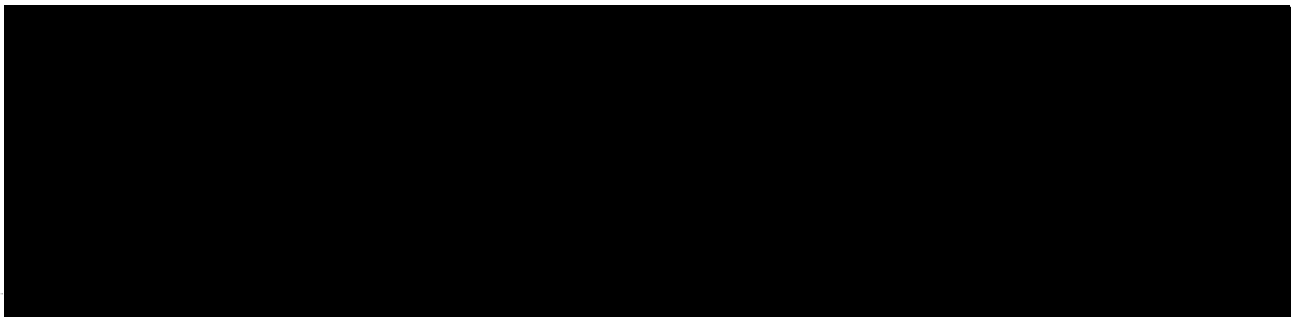
Public Affairs Committee:

Currently there are over 170 mandatory minimum sentences required by the federal criminal code. America houses 25 percent of the world's prisoners but has only 5 percent of the world's population! In the last 35 years the number of people in the federal prisons has grown from 24,000 to 219,000; that is nearly 800 percent compromised overwhelmingly by the poor and minorities. Draconian sentencing has led to ruthless sentencing, unjustifiable in its leniency in some instances and in its severity in others. Allow some existing prisoners to have their sentences reduced. Other alternatives need to be explored, instead of maximum penalties to first time offenders, for example, rehabilitation, fines, outreach programs, and probation. One in 28 children has a parent in prison – and one in nine in the African American community, this is destroying family ties and bonds for a crime that was not vicious or had a victim. Additional solutions include allowing inmates/prisoners to earn more good time, earning at least 3 to 4 months off their sentence every year. Give inmates an incentive to want to be a better person for society, their family, and most importantly, for themselves.

Applicable citations include 18 U. S. Code 924, 3553, Safe Justice Act, H. R. 2944.

The Commission needs to make this issue a priority because the criminal justice system's burden is real and unsustainable, costing taxpayers \$80 billion annually, consuming 30 percent of the Justice Department's budget. A recent Villanova study found that "poverty would have decreased by more than 20 percent" from 1980 to 2004 "had mass incarceration not occurred." Another recent study by the Pew Charitable Trusts found that incarceration leads to an average 11 percent drop in wages, a loss of nine weeks of employment per year and an overall 40 percent drop in annual earnings. Tax payers have to flip the bill of a BOP budget that is in the billions, and cost over a 100 million dollars a year to maintain. It should be a priority because most of these men/women who have been given extremely long sentences are suffering much like torture, to have their life existence held over their head with no hope of things ever changing. Some of these men/women have never been charged nor convicted, they are sentenced to terms where they may never be free again, or be so old that their life will have little to no meaning because most of their family members will be dead. Why should society keep putting money into housing, maintaining and building more prisons when this country needs jobs and inner city growth of real projects that will help not just lock away individuals?

This issue is personal in so many aspects to me. [REDACTED]



Sincerely,

A handwritten signature in black ink, appearing to read 'C. L. Johnson', is written over the printed name.

C. L. Johnson