

Public Affairs

From: Weldon Long
Sent: Sunday, February 19, 2017 11:54 AM
To: Public Comment
Subject: First time offenders

I am writing in support of an amendment to the US sentencing guidelines to grant points reduction for first time offenders.

In 1994, Richard DeCaro was acquitted in a Missouri state court of solicitation of murder. Later, he was recharged by the federal government for the same alleged offense. Having a second bite at the apple, the federal government was successful in getting a guilty verdict. While this may be a legitimate exception to the Double Jeopardy clause, the fact that he was first acquitted by a jury of his peers gives some indication of the weak evidence in the case. Nevertheless, experienced prosecutors have a huge advantage when trying a case twice, which is why we have a general prohibition against Double Jeopardy embedded in our US Constitution.

Mr. DeCaro has consistently maintained his innocence for 25 years. He loved his wife and played absolutely no role in her death. Having personally studied his case in detail, I can confidently state there are many factual, legal and constitutional questions in his case. Nonetheless, having exhausted all of his judicial remedies, Mr. DeCaro's best hope now is that he might receive a reduction in the points which dictated his LIFE sentence.

Prior to this case, Mr. DeCaro was a successful professional who never had any criminal record of any kind. He lived a productive and honorable life with his wife and four children. He is the epitome of a first time offender and a man who deserves a chance to rebuild his life after 25 years of incarceration.

Therefore, I enthusiastically support an amendment to the US Sentencing Guidelines that would permit a reduction in points for first time offenders. With a small reduction in points, Mr. DeCaro's sentence would be reduced to a number of years that would soon allow him to return to his children and grandchildren.

Respectfully,

Weldon Long

Weldon Long, Author
*The Upside of Fear &
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