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U.S. Sentencing Commission
Office of Public Affairs
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Life for Pot
Release Nonviolent Drug Offenders
Beth Curtis Director
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Dear Members of US Sentencing Commission,

The current level of incarceration is not fiscally responsible and it does not speak to justice. The time for nuanced and incremental sentencing reform is past. This is a time that calls for bold decisions and bold actions.

I am speaking for a unique category of offenders whose sentences are in no way proportional to the harm of their offense. These offenders are nonviolent marijuana offenders with no violent priors and no other substance in their charges. They have also received unconscionable sentences of **life without out parole or de-facto life without parole.**

These sentences coarsen our culture and foster disrespect for our Criminal Justice System. At Life for Pot we were not surprised to see that the offenders who received these mind bending soulless sentences had been, for the most part, charged with conspiracy and exercised their 6th Amendment Right to trial. In other words, at sentencing they received the trial penalty.

Law enforcement is well aware of the consequences of a conspiracy charge. The most benign consequence is that it is a less costly prosecution. For the defendant, conspiracy charges require that the defendant either accept responsibility for the actions of many over a period of time or go to trial and most certainly receive a sentence of multiple years more than others.

Denial of relevant conduct should not be considered in determining whether a defendant has accepted responsibility for purposes of 3E1.1.

Marijuana is a substance that has been legalized to some degree in the majority of the states. It is a substance that is less harmful and addictive than alcohol yet it continues to be a Schedule I drug on the Controlled Substance Act's schedule. Billions of dollars are now being invested in business enterprises for marijuana. It is not reasonable for this substance to continue to be the reason for the arrest of over 500,000 individuals per year, the incarceration of hundreds of thousands and the expenditure of up to \$ 42 billion per year.

When Clemency Project 2014 was initiated, we believed that nonviolent marijuana offenders with life sentences and de-facto life sentences would all receive Presidential Clemency. That did not happen. Of the 1,715 individuals who received commutations, we only found 39 who were nonviolent marijuana only offenders. It's difficult to understand how sentences of this magnitude were ever deemed appropriate for nonviolent marijuana offenders, but in the current climate of legalization and the establishment of Cannabis businesses, this level of retribution cannot be defended.

The maximum sentence for nonviolent marijuana only offenders should be no higher than 10 years and this should be retroactive.

Sincerely,

Beth Curtis MSW

A handwritten signature in cursive script that reads "Beth Curtis".

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