

From: ~\! AKWUBA, ~\! LILLIAN
Subject: [External] ***Request to Staff*** AKWUBA, LILLIAN, [REDACTED]
Date: Friday, October 14, 2022 9:06:39 AM

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To: pubaffairs@ussc.gov
Inmate Work Assignment: courtyard

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Inmate Message Below

The US Sentencing Commission proposed priorities for the Amendment Cycle ending May 1, 2023.

1. 1B1.13 (Reduction in term of imprisonment under 18 USC 3582(c)(1)(A)(Policy statement) to;
 - a. implement the First Step Act of 2018 and (b) further describe what should be considered extraordinary and compelling reasons for sentence reductions under 18 USC 3582 (c)(1)(A). To include Loss of Caregiver of members of immediate family through financial hardship verifiable by evidence of loss of job, physical health and mental health.
2. 2D1.1 and 2D1.11; Current guidelines are too harsh. Strike out Ghost Dope, Ghost quantity, purity is not proxy. There has to be a differentiation between trafficking, distribution and importing that are detrimental versus addiction. Severity of the crime should be tailored to the individuals, their roles in the community, and their history. Mandatory minimums should not apply to First Time Drug Offenders.
3. 2K2.1; Strike out Ghost guns, firearms should be eliminated because its unconstitutional against the 2nd Amendment. Being a felon does not make one dangerous and felons in possession of firearms legally should not be charged or their crimes enhanced during sentencing. It is unconstitutional.
4. 3E1.1 (Acceptance of Responsibility); should be given to all PLEA DEALS/Bargains.
 - b. Yes an offense must involve a substance controlled by the Controlled Substances Act to qualify as controlled substance under subsection (b) of 4B1.2.
5. All new cases should be Retroactive not just today. we are correcting the prior injustices done and possible future ones. Consipracy, wire fraud, identity theft, Bank fraud, Money Laundering, should not apply to First Time Non-violent Offenders.
6. 4B1.2; To include if there is no body, there is no victime. Corpus Dilecti. A body is necessary to establish a crime.
7. In light of the studies on recidivism, considerations of possible amendments to the Guidelines relating to Criminal History 4A1.1 (Criminal History Category). NO DRUGS, NO VICTIM, NO CRIME. The impact of status points should be lowered especially for the First Time Offenders.
 - b. Consider if crime is categorized as violent or non-violent. For non-violent crimes, giving them Probation with Strigent Work Release Program especially for low and minimum PATTERN scores under the supervision of half-way housing and / or probation office is favorable instead of incarceration.
8. Consideration of possible amendment 994(j) imposing a sentence other than imprisonment in cases in which the defendant is a First time offender who has not been convicted of a crime of violence to include LEVEL C and D.
9. Possible amendments to the Guidelines Manual to prohibit the use of Acquittal Conduct in applying the guidelines. The judges are not supposed to LEGISLATE from the bench. See new Supreme Court case of McClinton vs USA. The issue of judge imposed sentence enhancements on charges where a jury failed to find the defendant guilty (Acquitted Conduct).
11. According to Booker vs USA, post sentencing rehabilitation is a serious considerations. Before sentencing

putting in mind the individual role in the community, their life history and their career should play a major role in determining their guideline. Disregarding community letters of recommendation favorably to the defendant and using strictly the government method of finding guilty brings no Respect to the Law. These also should play a major role in Reduction In Sentencing. A defendant role in the community should match the severity of their punishment since its the community we are protecting.

12. Alternate to incarceration programs should include.

a. Work release programs for First Time Non-violent offenders living in a Camp as OUT-CUSTODY.

b. All drug addicts of chemical substances should reside in Residential Drug Treatment FACILITIES

From: [~^! COCHRAN, ~^!NATALIE P](#)
Subject: [External] ***Request to Staff*** COCHRAN, NATALIE, [REDACTED]
Date: Friday, October 14, 2022 7:04:14 AM

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To: Re: Public Comment
Inmate Work Assignment: Evening Compound

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Inmate Message Below

I am currently an inmate. My public defender convinced me to sign a plea. He assured me, that he and the prosecutor agreed to 37 months. The judge gave me 135 months. I have never been in trouble with the law. I have not even had a speeding ticket. I pled to one count of wire fraud and one count of money laundering. I am in poor health. Since, I have been in prison I have already had a pacemaker put in. I am only 41. Why can non-violent criminals not serve their time on house arrest? I am a pharmacist. I could be on house arrest and work release. I would pay for my own food, monitoring, and work on paying back my restitution.

The taxpayers are paying enormous amounts to house inmates. Then there are lawsuits regarding, inmate / officer interactions that have to be settled. If the average inmate costs \$40,000 a year to house, then imagine the savings by putting them on ankle bracelets. There should be a second chance for them. Trust me, if you spend any time in prison you do not want to return. If they reoffend then house them. Give non-violent first time offenders a second chance to raise their children and be a productive member of society. Thank you for taking my comments into consideration.

From: [~^! LEMBO, ~^! MARK ALLAN](#)
Subject: [External] ***Request to Staff*** LEMBO, MARK, [REDACTED], OXF-P-A
Date: Friday, October 14, 2022 10:19:44 AM

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To: Whom it May Concern
Inmate Work Assignment: Orderly Portage

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Inmate Message Below

I am writing today to voice my opinion on the Federal Sentencing Guidelines, and how they are set up. First off: Criminal History: Criminal history is 100% unconstitutional. I am serving more time (far more) for misdemeanors, because of how the criminal history brackets increase your sentence exponentially. 3 Charges I served 3 days for, bump me up a criminal history category, which then adds 30 months to my sentence. I believe this should be looked at.

Second: Percentage of time required by Federal Offenders:

Everyone in the Federal system does 85% of their time, violent, non-violent, murders, rapist, and child molesters. This is completely unreasonable. Non-violent drug offenders should never be required to do the same % of time, as a child molestor or murderer. Some of which have far less time. This definitely needs to be looked at.

Third: The drug guidelines: Drug sentences are extremely harsh. People are serving 20-30-40 year sentences for drugs, and losing their lives. Short term bad decisions have cost people their entire lives. These people don't get to raise their children, have a career, own a home, save for retirement, the list is endless. The opportunities we lose because of drug addictions are endless.

Fourth: Alternatives to incarceration: Most states do not send non-violent first time offenders to prison. They are given probation or forms of community service. There are so many options out there. Sending someone to prison for a drug charge for 20-30-40 years, is just insanity.

Fifth: Parole: Even if someone is sent to prison for the drug offense, they should have the opportunity to leave, long before 85% (for non violent offenders) I have been in prison for 6.25 years.. And I have been incident report-free, for almost 4 of them. I have completed many programs. If given the opportunity to see any parole board, I would most likely be able to go home, and raise my child, have a life.

Sixth: Meth: Meth is punished so harsh. They changed the Crack guidelines to make up for how it affected certain communities, yet Meth is affecting everyone, and is punished so much more harshly.

Seventh: Ghost.. What?!: Ghost guns and drugs are completely unconstitutional. No one should be able to get time for something that there is no evidence for.

Mass incarceration is ruining the family unit, fathers are not around their kids, and providing for their families. This needs to end. I have a daughter that is distraught because I am not there. Please take these things into consideration. I am ready to go home. There is nothing to do in prison, the programs have all stopped, covid has made doing time, torture. I am pleading with you to make changes, get people back to their families. No one needs to do 20 years for a non-violent drug crime.

From: [~^! PETERS, ~^!STEPHEN CONDON](#)
Subject: [External] ***Request to Staff*** PETERS, STEPHEN, [REDACTED], PEM-E-S
Date: Friday, October 14, 2022 11:35:27 AM

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To: Sentencing Commission
Inmate Work Assignment: Unit Custodian

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Inmate Message Below

U.S. Sentencing Commission,

It is my understanding that you are looking into several issues, but two of them are very relevant to me.

#1 - Changing Criminal History Guidelines in light of studies on recidivism; and

#2 - Changing the guidelines to permit non-prison sentences for non-violent, first-time offenders.

In 2019, I went to trial for white collar crimes (non-violent crimes) and I was convicted on all accounts (20-counts). Initially, the government was asking for me to plea to a 5-year sentence, but I felt that I was not guilty of the charges against me so I went to trial.

Upon being found guilty, I was sentenced to 40 years in prison.

On my PSR, I have a "0" Criminal History Score as I have had no "run-ins" with the law prior to these charges. My charges are all non-violent; yet I was sent to a medium security prison (FCC-Petersburg-Medium). My custody level points are a "3" but due to my length of sentence, I was placed into a medium security prison.

Under the BOP's new PATTERN score for recidivism, I am a negative 5 (-5) - meaning that my risk of recidivism is extremely low or what it being called "minimum."

My background prior to prison includes military service (Captain in the USMC), a college education, and no drug use or psychological disorders. When it comes to program needs, my Unit Team has my status as having "no needs" - yet I attempt to program to receive all the benefits of the First Step Act. Unfortunately, because of my length of sentence, it is hard to get into programming as the BOP prioritizes men and women who are "closer to the door" (I have many emails from numerous BOP staff members supporting this statement).

So why am I writing?

The Sentencing Commission really needs to look hard at lessening the sentences for men and women who have low Criminal History Scores and are 1st time offenders of non-violent crimes. It is my opinion, the sentences should not extend longer than 10 years for men and women who have this type of profile. Additionally, the Sentencing Commission needs to look into non-prison sentences for men and women who have these types of profiles: low Criminal History Scores, 1st time offenders, and non-violent crimes. Additionally, men and women with this kind of background should not be placed into medium and high security facilities based purely on their length of sentence.

From: [~^! PRICE, ~^!AUBREY LEE](#)
Subject: [External] ***Request to Staff*** PRICE, AUBREY, [REDACTED], MIA-D-A
Date: Thursday, October 13, 2022 7:06:12 PM

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To: Sentencing Commission
Inmate Work Assignment: Education

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Inmate Message Below

To: U.S. Sentencing Commission:

Thank you very much for considering my thoughts on the sentencing guidelines and how they effect me and my family. It means a lot to us that you are interested.

I received an excessive and irrational sentence of 30 years for bank, wire and securities fraud. This is the same type of sentence that is reserved for the most violent and heinous crimes of career criminals. I pled guilty, did not take the government to trial, accepted responsibility, and cooperated extensively to help in the return funds to former investors. I willingly surrendered all my personal funds of \$2.8 million before I even pled guilty. I am first time, non-violent offender who is a U.S. Army Veteran. I paid taxes and worked for twenty five years with no criminal history and no problems with law enforcement. I have four children and I am still married to my wife of 30 years. I have now completed almost 9 years of federal prison.

There are several areas on the sentencing guidelines that really hurt me and I am sure hurt others in similarly situated cases.

1. I recieved a 4 point enhancement for being a registered investment advisor which was a license I was required to have to work in my profession.
2. I received a 4 point enhancement for contributing to the failure of a financial institution that had already failed before my investors and I made an investment into the bank to saved it from failure. We extending the life of the bank for an extra 18 months, but the misvalued loans and the adverse economic conditions of that time kept us from successfully turning around the bank.
3. I received a 2 point enhancement for use of a computer (sophisticated means). Again, using a computer from the late 1990s and beyond is required workplace technology that most American must use every day. However, I sill received a 2 point enhancement for using a computer does not seem logical.
4. I received a 2 point enhancement for obstruction of justice even thought I pled guilty, cooperated extensively, and also received the acceptance of responsibility deduction. This does not make sense. The government gave me an enhancement as punishment to offset the acceptance of responsibility deduction.
5. There are no additional deductions for mitigating factors that should be considered:
 - no financial benefit to myself; no enrichment of myself, loss of all my personal assets and licenses, aggreements signed to never work in the securities industry again;
 - no intent to harm or damage anyone (we simply lost money in some bad investments regulated and approved by the S.E.C. and I lied about it to give myself time to make up the losses...100% wrong and that is what I pled guilty to). But I had no intent to harm anyone. Seems like there should be some kind of offsetting deduction.

These 10 enhancement points increased my sentencing guidelines from a 12-15 year sentence to a 30 to life sentence even though I received 3 points off for acceptance of responsibility.

Lastly, please take a serious look at the criminal history category. I am first time, non-violent offender. Yet I was sentenced in the same criminal history category as someone who is a second time offender. Any change or credit here would be extremely helpful in helping me find some relief.

Thank you again for your consideration of my input.

Respectfully submitted,

Aubrey Price