



U.S. Sentencing Commission
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IN THE NEWS

May 7, 2014

THE WALL STREET JOURNAL PUBLISHES LETTER TO THE EDITOR FROM COMMISSION CHAIR JUDGE PATTI B. SARIS

Today the *Wall Street Journal* published a letter to the editor from Commission chair Judge Patti B. Saris regarding Mortimer Zuckerman's op-ed "Harsh Sentencing, Overstuffed Prisons—It's Time for Reform" (May 3, 2014):

Sentencing Guidelines Are Being Intelligently Adjusted

The amendment originated with the U.S. Sentencing Commission and is something we carefully considered over several years.

Regarding Mortimer Zuckerman's "Harsh Sentencing, Overstuffed Prisons—It's Time for Reform" (op-ed, May 3): Mr. Zuckerman mentions a Justice Department sentencing panel proposing an amendment to federal guidelines. In fact, it was the U.S. Sentencing Commission, an independent, bipartisan agency that is part of the judicial branch, which voted unanimously on April 10 to amend the federal sentencing guidelines to modestly reduce sentences for the majority of federal drug offenders. We appreciated the support for this change from the Justice Department and others ranging from bipartisan members of Congress to the Federal Public and Community Defenders to Right on Crime, but the amendment originated with the commission and is something we carefully considered over several years. This amendment has been transmitted to Congress and unless Congress acts to disapprove, it will go into effect Nov. 1, 2014.

The federal sentencing guidelines are advisory but carry substantial weight in determining federal sentences. The amendment reduces the guideline levels assigned to most drug-trafficking offenders based on the quantity of drugs involved in the offense. The commission determined that the guideline levels for drug quantity no longer needed to be so high.

We estimate that our amendment will affect the sentences of almost 70% of federal drug-trafficking offenders and reduce their sentences by 11 months on average. These sentence reductions will correspond to a reduction in the federal prison population of approximately 6,500 inmates within five years and many more over time.

The commission carefully weighed public safety concerns, and based on past experience, existing laws and guidelines and expert testimony it concluded that the amendment should not jeopardize public safety. Our amendment is modest in scope; only Congress can change statutory mandatory minimum penalties. But we believe it is an important start.