

U.S. SENTENCING COMMISSION

YEAR IN REVIEW

— Fiscal Year 2002 —

The data contained in this report pertain solely to cases sentenced under the federal sentencing guidelines PRIOR to the enactment of the PROTECT Act, Pub. L. 108-21.

On November 1, 2001, a comprehensive package of guideline amendments that had been submitted to Congress on May 1, 2001, went into effect. The amendments completed an aggressive agenda for the Commission and included new penalties for counterfeiting; high-dollar fraud offenses; child sex offenses; ecstasy and amphetamine trafficking; and use of nuclear, biological, and chemical weapons.

On November 15, 2001, the Sentencing Commission and the Federal Judicial Center (FJC) presented "Sentencing & Guidelines: 2001 Amendments" on the Federal Judicial Television Network (FJTN).

In November 2001, commissioners met with the Judicial Conference Committee on Criminal Law in Amelia Island, Florida, to discuss sentencing-related matters and obtain the Committee's input on potential amendments to the guidelines. A second meeting was held in St. Louis in May 2002.

On February 21, 2002, the United States Sentencing Commission announced the formation of an ad hoc advisory group to review the general effectiveness of the federal sentencing guidelines for organizations/corporations. The Commission asked the group to place particular emphasis on examining the criteria for an effective program to ensure an organization's compliance with the law.

On May 1, 2002, the Commission submitted to Congress a package of guideline amendments that provided sentencing increases or expanded coverage for a number of offenses, including terrorism and cultural heritage resource offenses. The Commission also submitted amendments on issues such as drug offenses, money laundering, sex trafficking crimes, and violations of the Foreign Corrupt Practices Act. The guideline amendments went into effect November 1, 2002.

On May 1, 2002, the Sentencing Commission announced the formation of a Native American ad hoc advisory group to consider any viable methods to improve the operation of the federal sentencing guidelines in their application to Native Americans prosecuted under the Major Crimes Act.

More than 400 attendees participated in the Eleventh Annual National Seminar on the Federal Sentencing Guidelines. The seminar, co-sponsored by the U.S. Sentencing Commission and the Federal Bar Association, was held May 8-10, 2002, in Palm Springs, California.

On May 22, 2002, the Sentencing Commission released a comprehensive 112-page report to Congress, recommending a reassessment of federal cocaine penalties. On the same day, Commission Chair Diana E. Murphy appeared before the Senate Subcommittee on Crime and Drugs and testified about federal cocaine policy.

On August 28, 2002, the Sentencing Commission adopted its policy priorities for the amendment cycle ending May 1, 2003. The Commission outlined its plans to further address the USA PATRIOT Act and to respond to the Public Health and Security and Bioterrorism Preparedness and Response Act of 2002, the Sarbanes-Oxley Act of 2002, and the Bipartisan Campaign Finance Reform Act of 2002 in addition to continuing its work on a 15-year anniversary study.

In fiscal year 2002, the Commission received documentation on approximately 65,000 cases sentenced under the guidelines. The Commission coded and assimilated the information from these sentencing into its comprehensive, computerized data collection system.

The Commission's training staff continued to provide guideline application and sentencing-related training to judges, probation officers, prosecutors, defense attorneys, and others. During fiscal year 2002, Commission staff trained 4,823 individuals at 74 training sessions (including ongoing programs sponsored by the Federal Judicial Center and other agencies).

During the year, the Commission's "HelpLine" provided guideline application assistance to approximately 200 callers each month. The Commission continues to rely on its popular Internet site (www.ussc.gov) as a means of providing information about the agency and its work. The Commission continues to develop its online collection of guideline training materials.

During 2002, Commission staff also received and responded to thousands of information requests from Congress, attorneys, government agencies, researchers, inmates and their families, and the public.