



CHAMBERS OF
JOAN B. GOTTSCHALL
JUDGE

UNITED STATES DISTRICT COURT
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS 60604

July 24, 2007

312/435-5640

The Honorable Ricardo H. Hinojosa
Chair, United States Sentencing Commission
One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002

Dear Judge Hinojosa:

Judge Lynn Adelman has advised us that the Commission has not yet decided whether to recommend that its proposed guideline amendments, to reduce the crack cocaine guidelines to lessen the crack/powder disparity, be made retroactive. We applaud the Commission's decision to recommend guideline changes, just as we applaud the Commission's consistent position that the 100:1 disparity cannot be justified. We write to second Judge Adelman's suggestion that the Commission recommend that any amendment be made retroactive pursuant to §1B1.10.

As we know the Commission is aware, the 100:1 crack/powder disparity has resulted in many very long sentences for very low-level crack dealers, sentences which in some cases cannot be justified under the §3553 factors and which disproportionately cause the lengthy imprisonment of young minority men. Knowing that many of these sentences have been unjustifiably long, we would welcome the opportunity to look at them again and make adjustments where adjustments are appropriate.

Sincerely,

Robert W. Gettleman
United States District Judge

Joan B. Gottschall
United States District Judge

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