

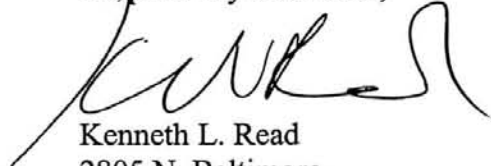
Dear Mr. Michael Courlander:

I am in support of Amendment #5 (pertaining to the use of recency as a factor in the calculation of the criminal history score) **being included in subsection (c) of Section 1B1.10** (Reduction in Term of Imprisonment as a Result of Amended Guideline Range Policy Statement). **I understand this amendment may be applied retroactively to previously sentenced defendants and I strongly recommend the USSC apply these amendments to persons who are currently serving in federal prison.**

I think it is entirely fair for the commission to evaluate the public safety considerations and post-sentencing conduct of each inmate who may proposition the Court for a reduction in their sentence based on proposed Amendment 5. However, it is the right of our citizens to enjoy the benefits of new laws and regulations even if they are incarcerated. When a death row inmate resides in a state that outlaws capital punishment, they reap the benefits of a lifetime in prison versus death. While life and death may not be the case for everyone, a mere number of months can make all the difference in a person's life when it comes to their sentence. Even one month should be enough for the courts to address their specific case. These are lives we are talking about-families, debt to society, becoming productive citizens again.

I believe the over-incarceration of people in the U.S. should be corrected, for moral as well as financial reasons. I am a taxpayer, a resident of the state of Missouri, and I firmly believe the incarcerated citizens of the United States should benefit from these amendments.

Respectfully submitted,



Kenneth L. Read
2805 N. Baltimore
Kirksville, MO 63501

United States Sentencing Commission
Attn: Public Affairs-Retroactivity Public Comment
One Columbus Circle, NE Suite 2-500, South Lobby
Washington, DC 20002-8002

Dear Sir/Madam:

RE: Amendment 5 ✓

Thank you for taking time out of your busy schedule to address this matter. The Sentencing Commission recently requested public comment pertaining to amendments submitted to congress on April 29, 2010. My family and I strongly urge the Commission to include Amendment 5 in subsection (c) of §1B1.10 (Reduction in terms of imprisonment as a result of Amended Guideline Range (Policy Statement)) as an amendment that may be applied retroactively to previously sentenced defendants. ✓

We thank the Commission for the giant steps it continues to take for the betterment of the criminal justice system. The Commission's tireless efforts will ultimately lead to a fair and just system for all Americans. We thank you again for your time.

Sincerely

Charmetta Estes
804 Anita Ct
Columbia Mo 65201

RETRO

Faye Dowdell
1231 - 28th Avenue South
St. Petersburg, FL 33705
1msfed@verizon.net

April 26, 2010

Mr. Michael Courtlander - Office of Public Affairs
U.S. Sentencing Commission
One Columbus Circle NE
Washington, D. C. 20002-8002

Dear Mr. Courtlander,

I am writing to express my support of the adding retroactivity to the proposed changes to the Federal sentencing guidelines. While the proposed changes are long overdue and are definitely needed, they do nothing for those who were sentenced under those stringent guidelines that are presently in place. I support that all of the proposed amendments be made retroactive.

There are people who should be beneficiaries of the retroactive amendments of the guidelines - people who are non-violent offenders, mothers, people with good backgrounds, and first time offenders. I believe the over-incarceration of people in the United States should be corrected, for moral as well as for financial reasons. I am a taxpayer, a resident of the state of Florida and believe that those who are incarcerated should and could benefit from the proposed changes.

Thank you for all that you have done so far.

Sincerely,



Faye Dowdell
727-896-4191

To: United States Sentencing Commission
From: Joseph Anthony Garza, R#30036-280 F.C.I, Englewood
Re: Amendment #5 (recency). ✓

I write this letter to you in response of your recent call for comment and for the purpose of voicing my support for the retroactive application of proposed amendment #5 to the United States Sentencing Guideline Manual [2010]. ✓

The commission's recognition of cause for amendment #5 is very well founded. The addition of point(s) as a factor in calculating a persons Criminal History category as a condition of "recency" has for far too long resulted in over punishment by way of double counting a single criminal episode. The Commission has wisely endeavored to end such unfair practice. ✓

Undoubtedly, prior to proposing such an amendment, amendment #5, the Commission looked at the effect(s) that use of "recency" has had on those individuals already sentenced in accord with such factor. For the Commission to now discontinue the use of "recency" as a result of its careful study of its evident inappropriate affect(s) and not allow for retroactive application of such action would in essence send a mixed message to society in regard to the Commission's stance as well as taint the authenticity of the Commission's amendment.

How can it be said that we realize that what we have been doing is per se wrong so we won't do it any more but despite the recognition of our wrong, we will foreclose relief from those individuals serving as the way in which we discovered the wrong we seek to correct? This is the question that will be presented and required to answer in the absence of retroactive application of amendment #5. ✓

The Commission has wisely incorporated §1B1.10 in the Guidelines. and the correctness of that section is evident in the current circumstance. Amendment #5 fits all criteria for the Commission's exercise of the authority conferred in §1B1.10.

I applaud the Commission for taking action toward the achievement of a more perfect set of guidelines in respect to amendment #5, and strongly encourage it grant retroactive application of that amendment.

In addition to all the reasons set forth herein, retroactive application of amendment #5 should be afforded in effort of maintaining the public reputation of the fairness and integrity of the United States Sentencing Commission.

Respectfully,

Dated: August 10, 2010.

Joseph A. Garza
R# 30036-280

↔ 30036-280 ↔

Joseph Garza
Federal Correctional
Institution Englewood
9595 West Quincy Ave
Littleton, CO - 80123
United States

August, 2010

Michael Courlander
United States Sentencing Commission
One Columbus Circle, NE., Suite 2-500
South Lobby
Washington, DC 20002-8002

RE: IN SUPPORT OF THE RETROACTIVITY OF AMENDMENT 5

Dear Mr. Courlander:

The reason I am writing is to urge the Commission to make Amendment 5 retroactive. Making Amendment 5 retroactive would cure an unjust sentencing practice done to those incarcerated and it would also establish fairness in the sentencing process. Thank you very much.

Sincerely,

Desi Wilson

Jason Sanford
4703 BELZ Rd
SANGER, TX 76266

United States Sentencing Commission
One Columbus Circle, NE,
Suite 2-500, South Lobby,
Washington, DC 20002-8002,
ATTN: PUBLIC AFFAIRS RETROACTIVATE PUBLIC Comm

Attention: Public Affairs-Retroactivity Public Comment.

July 15, 2010 (volume 75, Number 135)][Notice][Page 41279] [DOCID:fri15jy10-122] Federal Registry 75 FR 27388 (May 14, 2010).

One of the amendments, specifically Amendment 5 pertaining to the use of recency as a factor in the calculation of the criminal history score, has the effect of lowering guideline ranges. The Commission requests comment regarding whether that amendment should be included in subsection (c) of §1B1.10 (Reduction in Term of Imprisonment as a Result of Amended Guideline Range (Policy Statement)) as an amendment that may be applied retroactively to previously sentenced defendants.

Yes, the term of imprisonment as a result of amended guideline range should be applied retroactively to previously sentenced defendants.

Retroactively applied to previously sentenced defendants would maintain a unanimous sentencing reform rather than maintaining the "old law/new law" practices currently in place.

Sincerely, *Jason R. Sanford*
JASON R. SANFORD
4703 BELZ Rd
SANGER TX, 76266

July 21, 2010

United State ~~SENTENCING~~ Commission
Michael Coulander, Public Affairs Officer
One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002

Reference; Support For Retroactivity of Amendment 5 ~~CRIMINAL~~ History Points Recency Provision
To Previously Sentenced Defendants

Dear Mr. Courlander,

This correspondence is submitted in response to the Commission's of the above amendment to Congress on April 29, 2010 and its request for public comment on whether the amendment should be included in the 2010 U.S. Sentencing Guidelines Manual's Subsection (c) of Section 1B1.10 (Reduction of Term of Imprisonment as a Result of Amended Guideline Range) to previously sentenced defants.

The above amendment should be made retroactive to thousands of previously sentenced defendants currently serving unnecessary excessive imprisonment terms and sentences as a result of applying this provision. As accurately stated by Commission Chair William K. Sessions III, "...This guideline provision [does] not promote the purposes of sentencing... and.. ha[s] a detrimental impact on the fair administration of justice... ." As such, I agree and state that it should be made retroactive to our citizenry serving additional imprisonment terms and sentences.

Thank You in advance for your consideration and acknowledgement of my position.

Regards,

FPC ATLANTA CAMP
NELSON VALDES
18063-018
P.O. Box 150160
ATLANTA, GA 30315

July 21, 2010

Stephanie Stagers
2142 Toccoa Hwy.
Westminster, SC 29693

United States Sentencing Commission
Michael Courlander, Public Affairs Officer
One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002

**RE: Support For Retroactivity of Amendment 5 Criminal History Points' Recency Provision To
Previously Sentenced Defendants**

Dear Mr. Courlander:

This correspondence is submitted in response to the Commission's submission of the above amendment to Congress on April 29, 2010 and its request for public comment on whether the amendment should be included in the 2010 U.S. Sentencing Guidelines Manual's Subsection (c) of Section 1B1.10 (Reduction of Term of Imprisonment as a Result of Amended Guideline Range) to previously sentenced defendants.

The above amendment should be made retroactive to thousands of previously sentenced defendants currently serving unnecessary excessive imprisonment terms and sentences as a result of applying this provision. As accurately stated by Commission Chair William K. Sessions III, "...this guideline provision [does] not promote the purposes of sentencing...and..ha[s] a detrimental impact on the fair administration of justice...". As such, I agree and state that it should be made retroactive to our citizenry serving additional imprisonment terms and sentences.

Thank You in advance for your consideration and acknowledgement of my position.

Regards,


Stephanie Stagers

DEAR, US SENTENCING COMMISSION

ARE AM WRITING FOR RETROACTIVITY FOR THE NEW GUIDELINES (5) RECENCY.

SO MANY PEOPLE HAVE RECEIVE MORE TIME BECAUSE OF THE LAW. I AM BEGGING AS A CONCERNED CITIZEN FOR THE RECENCY IN THE NEW GUIDELINES TO BECOME RETROACTIVE. MY LOVE ONE HAS BEEN GONE FROM ME SINCE I WAS 16 YEARS OLD I AM 34 YEARS OLD NOW AND WE ARE STILL TOGETHER. THE LAST 17 YEARS HAVE BEEN A TRYING TIME BUT WE CONTINUE TO PRAY AND BE HOPEFUL.

WE ALWAYS ANTICIPATE OUR, REUNION AND ARE EAGER TO BE TOGETHER AS IF WE ARE STILL KIDS. WITH THE RECENCY BECOMING RETROACTIVE WE WILL HAVE ARE CHANCE. I APPLAUD THE USSC FOR TAKING THESE DRAMATIC STEPS IN THE SENTENCING CHANGES. AND I ALSO APPLAUD CONGRESS FOR PASSING S1789 THAT BILL WILL ALSO HELP HIM IN HIS REALEASE.

ALSO PRAYING FOR RETROACTIVITY. IT WILL BE UNFAIR AND VERY HURTFUL FOR THOSE THAT HAVE BEEN SUBJECT TO THESE OLD LAWS TO CONTINUE TO SUFFER.

WHEN I GO SEE MY HUSBAND THE YOUNG MAN I REMEMBER IN HIS 20'S IS NOW GRAY AND IN HIS 40'S. I SEE SO MANY YOUNG MEN THAT I REMEMBER AS A CHILD THAT HAVE BEEN GONE FOR OVER 18 AND 19 YEARS. HALF OF THEM NEVER EVEN WAS CAUGHT WITH DRUGS. GIVE THESE WOMEN AND MEN A CHANCE AT LIFE AGAIN PLEASE I BEG YOU TO REACH DEEP DOWN IN YOUR SOULS AND DO THE RIGHT THING PLEASE. MAKE (5) RECENCY RETROACTIVE, I THANK YOU FOR YOUR TIME AND ALLOWING ME TO SHARE MY THOUGHTS HAVE A BLESS DAY!

SINCERELY,
NICKOLA S. HILL
3135 HUNTING CREEK PASS
DOUGLASVILLE, GA 30135

GARDEN GATE DESIGN & LANDSCAPE

Featuring Landscape Designer

Tammy Sanford

To the United States Sentencing Commission,

This is pertaining to request for public comment federal register: July 15, 2010 (volume 75, Number135))[Notice][Page 41279] [DOCID:fri15jy10- 122] Federal Registry75 FR 27388 (May 14, 2010). One of the amendments, specifically Amendment 5 pertaining to the use of recency as a factor in the calculation of the criminal history score, has the effect of lowering guideline ranges. The commission is requesting comments regarding whether that amendment should be included in subsection(C) of sec 1b1.10. My Comment is yes it lessen the burden financially of the BOP especially if it's retroactive and maybe give these inmates serving the very long mandatory sentences some hope of turning their lives around and maybe get back to their family a little sooner than they thought. With all the new Reentry Programs and Faith-Based Programs, do it especially for more than half of the prison population that's drug offenders and or nonviolent offender where the average ages are 21 to 35 this a lot young men and women that made mistakes that deserve a second chance at life. With the new Justice Reform Commission the Second Chance Act and all the other progress that we made in the last year we can fix our broken Justice system 1 amendment at a time. This is a good thing RETROACTIVEATE IS THE KEY WORD. We could all use little bit of brake right now, a little glimmer of hope. I realize it's going to be difficult to implement the changes specially the retroactive ting it but nothing worth wild comes easy. So please right this wrong and RETROACTIVATE AMENDMENT 5.

Sincerely, Tamara D. Sanford

4703 Belz Rd.

Sanger, Texas

76266

2250 FM 407 • Suite 108, PMB 101 • Highland Village, Texas 75077

817.490.1700 • Fax 817.490.1430

www.gardengatedesign.com

U.S. Sentencing Commission
One Columbus Circle N.E.
Suite 2-5000 South Lobby
Washington, D.C. 20002-8002

Re: Public Comment on Retroactivity of H.R. 1475 Amendment 5

Dear Mr. Courlander:

I am writing to urge you and your fellow Commissioners to support Amendment 5 which pertains to the use of recency in the calculation of criminal history score, which will effectively lower guideline ranges. Include it in Subsections (c) of Section 1B1.10, and make it retroactive for defendants who are serving time now. I realize that it may be difficult to apply, but many inmates and their families are having a difficult time, also. Many families are completely destroyed because of unnecessarily long sentences that their loved ones are given. They are robbed of hope, and there are no incentives to do better.

I'm sure that you have heard many reasons we need to revamp the prison system, and change some of the laws. Implementing this Bill and making it retroactive will save money, free up space, and negate the need to build more prisons. I appreciate your time, and I will be watching the progress of this Bill closely.

Sincerely,

Linda Robinson

August 10, 2010

Sandra LaCour
906 Pineapple Road
South Daytona, FL 32119

United States Sentencing Commission
One Columbus Circle, NE, Suite 2-500, South Lobby
Washington DC 20002-8002
Attention Public Affairs-Retroactivity Public Comment

Dear Sirs,

My son is in prison even though the prosecutor never proved there was criminal intent. His case was prosecuted based on a law that was passed after his indictment, ex post facto. Furthermore, he had advice of counsel. So much for justice.

However, as a result, I have been educating myself on prison reform. Why does the most prosperous and free country in the world incarcerate more people than any other country? Is there something wrong with the people or is something wrong with the judicial system?

I am writing to comment on the retroactivity of Amendment 5 pertaining to Recency:

Why is there an amendment proposed in the first place. Was the original law unfair? Was the original law prejudicial? Obviously, there is some reason to propose the Amendment.

I am only a lay person and do not understand all the technicalities of the law. I do, however, understand fairness. If there was a problem with the original law, the correction should apply to all those who have been subject to it as well as those who will be subject to it in the future.

How can anything else be fair? How can the inmates who are serving sentences believe in a country who treats some people differently than others? Going to prison should be for rehabilitation not for punishment.

To not make this amendment retroactive is to punish those who are currently serving time.

Sincerely,

Sandra LaCour

AUGUST 10, 2010

ATT: WILLIAM K SESSIONS III
CHIEF JUDGE USSC

RE: SENTENCING GUIDELINES
SPECIFICALLY AMENDMENT 5

MY COMMENTS ARE THAT AMENDMENT 5, PERTAINING TO THE CRIMINAL
HISTORY SCORE, BE INCLUDED AND ALSO MADE TO BE RETRO-ACTIVE
TO PREVIOUSLY SENTENCED DEFENDANTS.

RESPECTFULLY,

Bonnie M. Bauer

BONNIE M BAUER
2010 PONDEROSA #218
SANTA ANA CA 92705
714-972-1390

Shaun Brown 14115-424 (Unit F)
FCI Ashland
P.O. Box 6001
Ashland, Ky 41105

May 17, 2010

TO: COMMISSIONERS
US Sentencing Commission
One Columbus Circle, NE
Suite 2-500,

Dear Commissioners:

I am sincerely writing in regard to the recent proposed amendment which pertains to the criminal history category. In the recent proposed amendment, it suggests eliminating the Section 4A1.1(e), which provides for an individual such as myself who received 2 additional points for being on probation at the time I obtained my instance offense. I truly admire all the work that you all have been doing. However, I haven't been able to obtain any relief from the amendments. For example, the last amendment that you all passed (Amendment 709) would have helped myself by reducing my criminal score by approximately 24 months but it was not applied retroactively. I am respectfully asking if you all can make this amendment retroactive because alot of people like myself has been punish twice for crimes we already have done the time for. I was given 2 points for being on probation when I picked up this offense. I was given 1 point for a minor traffic ticket for driving on a suspended license which I received 1 year supervision. I was also given 1 point for having a stun gun which I received 1 year supervision.

I was unsuccessful in receiving a reduction. I suggested in a filing to the court that amendment 709 was a clarifying amendment a therefore I should be able to obtain relief by the court because clarifying amendments can be applied retroactive.

However, the government and the court ruled against my argument. In this letter, I am asking if you can respond back to me and tell me whether or not amendment 709 was intended to simplify and clarify that minor offenses such as my traffic offenses that I only received 1 year of probation can be ruled by the courts as being excluded. The court said that it was a substantive change in the law, agreeing with the government. However, another circuit ruled in a defendant favor based on a similar argument. [See Attachments[.

I am respectfully asking if you can consider making the amendments to the criminal history category retroactive to avoid inmates such as myself from not being able to receive relief as the other individuals who are entering the system now.

It would not have a great impact on the courts. The crack cocaine amendment worked successful for others, and it exceeded far more than people who received 2 points for being on probation.

I truly appreciate your time in reading this letter. I also ask if you can send me a copy of the amendments. I further again ask if you all intention was for amendment 709 to be a substantive change versus to simplify and clarify in order for I can possibly receive some relief by filing back to the court based upon their misunderstanding or if you all can write a letter of recommendation to exclude the petty offenses from my record considering they were very minor.


Sirs, one of the main goals of sentencing remains rehabilitation, for this purpose, I am respectfully asking if you may make the amendment to the guidelines retroactive and also send a recommendation that amendment 709 was not a substantive change in law as decided by the government and then by the court.

These points are hindering myself from participating in many educational and vocational programs based upon the BOP security and custody level policy.

I have enclosed portions of my motions and the government and court decision on my case which only support my sincere request that you make this new amendment retroactive in order for me not to have to suffer for my past minor offenses.

Thank you so much for reading my letter. I just feel that its wrong to not afford people like myself to receive the relief that the new ones who's entering the system will based on the same petty offenses as I have been and causing me to not be able to participate in many educational programs to better myself for re-entry into society.

Sincerely,



*P.S.
I don't
think
that
the
amend
petty
in
by you all having
power, you can
709 and MAKE
OFFENSES RETROACTIVE
THE NEW
Amendments*