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I am a sentencing mitigation expert, with five years' experience in this role, preceded by 25 years as a U.S. Probation Officer, 22 of which were as a Sentencing Guidelines Specialist.

My comments focus on the Firearm's guideline and Career Offender issues. Regarding the Firearms guideline, it is extremely difficult for defense attorneys to give proper advice in these cases because the criminal history is rarely known in detail at the time charges are filed, so it is often guesswork to determine the base offense level much less determine if ACCA might apply. From experience, I can tell you that it is somewhat less important about the ultimate length of sentence as it is to be able to give a reasonably close estimate up front.

I think your work on cleaning up the Immigration guideline was spot on, and the number of appeals and objections has dropped significantly since you revised that guideline some years ago. At the risk of making my skills less necessary, it would greatly facilitate the sentencing process to consider a similar approach for the Firearms guideline and in the Career Offender definition. Broadening the definitions to include "related to," while simultaneously focusing on length of sentence imposed, would likely capture more serious conduct in the prior sentences, while significantly reducing the amount of contention about whether a prior offense is a COV or drug trafficking offense.

Best wishes with the 2023 amendment cycle! You sure have your hands full.