

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

[REDACTED]

Topics:

Career Offender

Comments:

Racial Justice Reform Corp is a non-profit that has very simple goals which are to focus on removing the laws that create excessive sentences for non-violent urban minorities, which is the true definition of "systemic racism," The fight to remove state drug charges from 4b1.1/2k2.1 has been one we have battled to accomplish for at least half a decade.

While this rule change can create more incarceration on the side of the analysis of "crime of violence", we still fully support it because it takes the excess punishment away from the non-violent minority and disenfranchised poor.

This change is essential to begin to give the black and brown American who got caught in the desperate search for survival a chance to rehabilitate and not pass on more poverty to the next generation by creating more fatherless children.

We have extensive positive written responses from the range of Joe Biden, countless US Congressmen, and other Civil Rights leaders and the general public.

I congratulate the USSC for this rule change. It is essential to start to equalize "justice" for the black and brown minorities. Thank you.

Creaghan A. Harry

Director

RacialJusticeReform.com

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Submitted on: January 15, 2025

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

Kameron Cantrell, Tennessee, Western

Topics:

Firearms Offenses

Comments:

Over the course of my career as a presentence writer, i have written several cases for felon in possession of firearms. Unfortunately, this seems to be an area of high recidivism issue.

I would like to propose an enhancement for multiple convictions for being a felon in possessions of a firearm.

Submitted on: January 14, 2025

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

Jaime Muse, Arizona

Topics:

Career Offender

Firearms Offenses

Simplification

Comments:

Career Offender- It would be beyond helpful to provide definitions of crime of violence and controlled substance offense.

Firearms Offenses- I would propose that if mens rea is adopted for a stolen weapon that it require a conviction. I am curious if mens rea were to be applied to the modified serial number, how often it would be applied. It would be difficult to prove mens rea for modified serial number. Is it worth having the enhancement at all if it would rarely, if ever, be applied?

Simplification- Yes PLEASE! There is no need for most departures when we have variance language.

Submitted on: December 26, 2024

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

American Judges Association

Topics:

Career Offender

Firearms Offenses

Comments:

I'm really concerned about the easy accessible access to firearms in our country.

Submitted on: January 13, 2025

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

Daren Schumaker, Iowa, Northern

Topics:

Career Offender

Comments:

With regard to the proposed amendments to the career offender guideline, I would encourage the Commission to rely on the sentence imposed rather than the prior time served on a qualifying offense.

In short, use of sentence imposed would be consistent with the scoring of criminal history points in Chapter Four and is easily determined by referencing sentencing orders.

On the other hand, use of the prior time served on a qualifying sentence would require probation officers and the Court to rely on parole and release records from state prisons, which are often incomplete, difficult to obtain, and unclear if available.

In summary, records used to determine the sentence imposed are more readily accessible and accurate than records used to determine the amount of a prior sentence actually served.

Submitted on: January 10, 2025

Public Comment - Proposed 2024-2025 Amendments on Career Offender, Firearms Offenses, Circuit Conflicts, and Simplification

Submitter:

Emily Ward, Partner

Topics:

Circuit Conflicts

Comments:

I urge the Commission to revise the proposed new Guideline section 4C1.1 which now lists 11 preconditions to receiving the 2-point reduction, including "(10) the defendant did not receive an adjustment under §3B1.1 (Aggravating Role)." I am a white-collar practitioner and see the Aggravating Role enhancement added to almost every case I have, regardless of true culpability or leadership. I don't think it should be a barrier to this adjustment, but at a minimum, believe some distinction should be made between organizer/leader on the one hand, and manager/supervisor on the other because being a manager/supervisor doesn't genuinely correspond to increased culpability and recidivism.

Submitted on: December 23, 2024