

UNITED STATES SENTENCING COMMISSION
ONE COLUMBUS CIRCLE, N.E.
SUITE 2-500, SOUTH LOBBY
WASHINGTON, D.C. 20002-8002
(202) 502-4500
FAX (202) 502-4699



May 4, 2016

The Honorable Joseph R. Biden, Jr.
President of the Senate
276 Eisenhower Executive Office Building
1650 Pennsylvania Avenue, N.W.
Washington, DC 20501

Dear Mr. President:

On behalf of the United States Sentencing Commission, I write pursuant to 28 U.S.C. § 994(w)(3)¹ to report on the compliance of the federal district courts with the documentation submission requirements of 28 U.S.C. § 994(w)(1). This provision requires the chief judge of each district court to ensure that, within 30 days following entry of judgment in every criminal case, a written report of the sentence be submitted to the Commission. Under that provision, the written report for each case must include a copy of the judgment and commitment order, the written statement of reasons for the sentence imposed, any plea agreement, the indictment or other charging document, the presentence report, and any other information as the Commission finds appropriate.

I am pleased to report that the federal district courts have a high rate of compliance with this statutory requirement. For fiscal year 2015, the federal district courts submitted a report to the Commission on 99.9 percent of the felony and Class A misdemeanor cases in which a sentence was imposed that year. For these 71,003 cases, the courts submitted 99.7 percent of the documents required under 28 U.S.C. § 994(w) – a total of 329,561 documents. This high rate of compliance has enhanced the ability of the Commission to collect, analyze, and report data on federal sentencing practices in a thorough, accurate, and timely manner.

The Commission interprets 28 U.S.C. § 994(w) as requiring courts to submit the written report and the accompanying documents in all cases for which a guideline sentence can be determined – namely, all felony cases and all Class A misdemeanor cases. In order to ensure that the Commission's records are as complete as possible, twice each year the Commission compares its records with those of the Administrative Office of the United States Courts in order

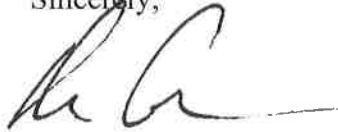
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to identify all criminal cases that have concluded during the current fiscal year. Cases that are concluded but for which the Commission has not received the report required under 28 U.S.C. § 994(w) are identified and a letter is sent to court personnel in each judicial district identifying those cases missing from the Commission's records for that district. Similarly, cases for which the Commission has received some but not all of the required documents also are identified and the district is informed of those specific documents missing from the Commission's records.

For fiscal year 2015, each of the 94 districts submitted case documentation in at least 95 percent of the required cases.² Also, each of the 94 districts submitted at least 95 percent of the documents required to be submitted for the cases that were reported to the Commission.²

If you have any questions about this report, please do not hesitate to contact me at 202-502-4500 or at KCohen@ussc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Cohen', with a long horizontal flourish extending to the right.

Kenneth Cohen
Staff Director

² Ninety-five percent is the minimum compliance rate for case submission and for document submission that the Commission used for purposes of inclusion in this report.

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May 4, 2016

ACKNOWLEDGEMENT OF RECEIPT

The United States Sentencing Commission submits to the Congress its 2015 report on the compliance of the federal district courts with the documentation requirements of 28 U.S.C. § 994(w)(1).

Receipt of the report is hereby acknowledged.

Office of the President of the Senate

Date: _____

Time: _____

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May 4, 2016

The Honorable Paul Ryan
Speaker of the U.S. House of Representatives
H-232 Capitol Building
Washington, DC 20515

Dear Mr. Speaker:

On behalf of the United States Sentencing Commission, I write pursuant to 28 U.S.C. § 994(w)(3)¹ to report on the compliance of the federal district courts with the documentation submission requirements of 28 U.S.C. § 994(w)(1). This provision requires the chief judge of each district court to ensure that, within 30 days following entry of judgment in every criminal case, a written report of the sentence be submitted to the Commission. Under that provision, the written report for each case must include a copy of the judgment and commitment order, the written statement of reasons for the sentence imposed, any plea agreement, the indictment or other charging document, the presentence report, and any other information as the Commission finds appropriate.

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May 4, 2016

The Honorable Patrick J. Leahy
Ranking Member, Committee on the Judiciary
United States Senate
437 Russell Senate Office Building
Washington, DC 20510

Dear Ranking Member Leahy:

On behalf of the United States Sentencing Commission, I write pursuant to 28 U.S.C. § 994(w)(3)¹ to report on the compliance of the federal district courts with the documentation submission requirements of 28 U.S.C. § 994(w)(1). This provision requires the chief judge of each district court to ensure that, within 30 days following entry of judgment in every criminal case, a written report of the sentence be submitted to the Commission. Under that provision, the written report for each case must include a copy of the judgment and commitment order, the written statement of reasons for the sentence imposed, any plea agreement, the indictment or other charging document, the presentence report, and any other information as the Commission finds appropriate.

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May 4, 2016

The Honorable Robert W. “Bob” Goodlatte
Chairman, Committee on the Judiciary
U.S. House of Representatives
2309 Rayburn House Office Building
Washington, DC 20510

Dear Chairman Goodlatte:

On behalf of the United States Sentencing Commission, I write pursuant to 28 U.S.C. § 994(w)(3)¹ to report on the compliance of the federal district courts with the documentation submission requirements of 28 U.S.C. § 994(w)(1). This provision requires the chief judge of each district court to ensure that, within 30 days following entry of judgment in every criminal case, a written report of the sentence be submitted to the Commission. Under that provision, the written report for each case must include a copy of the judgment and commitment order, the written statement of reasons for the sentence imposed, any plea agreement, the indictment or other charging document, the presentence report, and any other information as the Commission finds appropriate.

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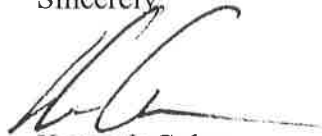
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May 4, 2016

The Honorable John Conyers, Jr.
Ranking Member, Committee on the Judiciary
U.S. House of Representatives
2426 Rayburn House Office Building
Washington, DC 20510

Dear Ranking Member Conyers:

On behalf of the United States Sentencing Commission, I write pursuant to 28 U.S.C. § 994(w)(3)¹ to report on the compliance of the federal district courts with the documentation submission requirements of 28 U.S.C. § 994(w)(1). This provision requires the chief judge of each district court to ensure that, within 30 days following entry of judgment in every criminal case, a written report of the sentence be submitted to the Commission. Under that provision, the written report for each case must include a copy of the judgment and commitment order, the written statement of reasons for the sentence imposed, any plea agreement, the indictment or other charging document, the presentence report, and any other information as the Commission finds appropriate.

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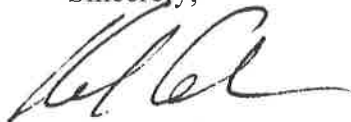
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Office of the Speaker of the U.S. House of Representatives

Date: 5/12/2016

Time: 3:08pm

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Office of the President of the Senate

Date: 5/12/2016

Time: 3:00 pm