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TRIAL - APPEAL - POST-CONVICTION RELIEF

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October 9, 2007

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

Attention: Public Affairs-Retroactivity - Crack Cocaine Guideline Amendment

Dear Commissioners:

I am writing to support inclusion of Amendment 9 (crack cocaine) in Section 1B1.10 so that the amendment would be subject to retroactive application under 18 U.S.C. § 3582. I have examined the analysis prepared by the Commission's staff and see that over 19,500 inmates would be eligible for sentence reduction under this amendment. According to the analysis, 7.9% would be eligible for a reduction of 49 months or more, which translates into 1,540 persons in that category alone.

Especially given that it has been the repeated position of the Commission over the past many years that the crack cocaine guidelines should have been reduced, assuming that Congress does not act to override this amendment, it seems clear that the amendment should be made retroactive and all persons who have been sentenced under this unduly harsh guideline should receive the benefit of the correction of the guideline.

Sincerely,



William Mallory Kent

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