

20 FEBRUARY 2008

THE UNITED STATES SENTENCING COMMISSION
ONE COLUMBUS CIRCLE, N.E.
WASHINGTON, DC 20002-8002



National Organization of
Parents Of Murdered Children, Inc.
For the families and friends of those who have died by violence.

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Alexandria, VA 22314
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Dear Commission Members:

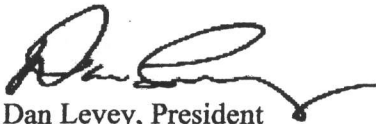
The National Organization for Victim Assistance and the National Parents of Murdered Children organizations have long histories and expertise in dealing with victims of crime. As national organizations affirming the rights of victims, we strongly urge you to reconsider your recent decision to apply new lower penalties for crack cocaine offenses retroactively.

That decision you have made poses a severe risk to public safety for several reasons:

- According to your own estimates, approximately 20,000 offenders could have their sentences reduced. The sheer number of eligible offenders indicates the extent of the public safety risk.
- Many of these offenders will be released into vulnerable communities, which will risk further harm to the law-abiding citizens of these communities, who may not have the option of moving elsewhere. As Congress determines whether to address the Sentencing Commission's retroactivity decision, it must not forget the impact of that decision on these law-abiding citizens.
- Approximately two-thirds of these offenders have a serious criminal record that, according to your own studies, correlates to recidivism rates of between 34 and 55 percent. These high recidivism rates underscore the risk to these vulnerable communities.
- Many of these offenders may be unable to participate in Bureau of Prisons pre-release programs, such as halfway houses, due to the abrupt reduction in their sentences. Thus, they will be ill-prepared to return to their communities and their risk of recidivism increases.
- According to your own estimates, approximately 35% of these 20,000 offenders received an enhancement in their sentence for possessing a weapon or were convicted of a drug-related weapons offense. This highlights the risk of violent crime these offenders pose if released early.
- In conducting resentencing proceedings using the new lower guidelines, courts may not have complete information about the crime as much of that evidence will be stale and prosecutors will have difficulty presenting the pertinent facts. This will likely prevent judges from sentencing offenders appropriately based on the true extent of their criminal conduct.

We are concerned that the focus in this discussion is not on the victims and communities devastated by crack cocaine, but rather on crack cocaine offenders. Not only is it important to consider the rights and needs of the past and present victims of these offenders, it is crucial that

Kind regards,



Dan Levey, President
National Parents of Murdered Children



Nancy Ruhe, Executive Director
National Parents of Murdered Children



Joseph Myers, President
The National Organization for Victim Assistance



H. William Marling
Interim Executive Director