

# Year In Review

## U.S. Sentencing Commission – Fiscal Year 2007

In October and November 2006, the Commission held a series of roundtable discussions devoted to the topics of guideline simplification and criminal history. Participants included federal judges, representatives of the Department of Justice, federal defenders, probation officers, and members of the academic community.

On November 14, 2006, the Commission held a public hearing at the Georgetown University Law Center entitled “Cocaine and Federal Sentencing Policy – 2006.” The Commission held this public hearing to gather information on all aspects of federal cocaine sentencing policy and heard testimony from the executive and judicial branches of government, defense practitioners, community interest groups, academics, and treatment and medical experts.

On February 28, 2007, the United States Senate confirmed the nominations of Ms. Beryl A. Howell and Ms. Dabney Langhorne Friedrich as members of the Commission.

In March 2007 and September 2007, Chair Ricardo H. Hinojosa addressed the Judicial Conference of the United States, updating the Conference on the activities of the Commission.

On March 20, 2007, the Commission held a public hearing on proposed amendments to the sentencing guidelines and policy statements, and heard testimony from the executive and judicial branches of government, defense practitioners, community interest groups, and industry representatives. Also in the spring of 2007, the Commission reinstated its temporary duty program for probation officers.

On May 1, 2007, the Commission sent to Congress a package of guideline amendments that addressed, among other things, crack cocaine offenses, terrorism, sex offenses, and criminal history

calculations. The amendments went into effect November 1, 2007.

In May 2007, the Commission sent to Congress a 200-page report entitled *Cocaine and Federal Sentencing Policy*. The report sets forth recommendations for statutory modifications to the federal sentencing structure for cocaine offenses and updates its study of cocaine sentencing policy.

On May 25–28, 2007, more than 600 attendees participated in the Sixteenth Annual National Seminar on the Federal Sentencing Guidelines. The seminar, co-sponsored by the Commission and the Tampa Bay Chapter of the Federal Bar Association, was held in Salt Lake City, Utah.

In June 2007, the Commission announced the formation of a Victims Advisory Group to assist the Commission with its statutory mission.

On June 26, 2007, Chair Ricardo H. Hinojosa, testified before the House Judiciary Committee’s subcommittee on Crime, Terrorism, and Homeland Security regarding mandatory minimum sentencing generally and federal cocaine sentencing policy specifically.

In July 2007, Ms. Kelli Ferry was designated an *ex-officio* member of the Commission. Ms. Ferry serves as counselor to the Assistant Attorney General for the Criminal Division of the Department of Justice and is an assistant United States attorney in the Eastern District of Virginia.

In July and September 2007, the Commission published issues for comment regarding whether the crack cocaine or criminal history amendment should be applied retroactively and, if so, whether additional procedural guidance should be included in section 1B1.10 [Reduction in Term of

Imprisonment as a Result of Amended Guideline Range (Policy Statement)].

The Commission continued to implement its Electronic Submission System (ESS) which enables federal districts to submit sentencing documents to the Commission across the courts' network, thereby improving efficiencies and avoiding delays in the mailing process. Ninety-one districts currently submit their case files electronically.

In fiscal year 2007, the Commission received documentation on more than 72,000 cases sentenced under the guidelines. The Commission coded and assimilated the information from these sentencing documents into its comprehensive, computerized data collection system.

In fiscal year 2007, the Commission's training staff continued to provide guideline application and sentencing-related training to judges, probation officers, law clerks, circuit staff attorneys, prosecutors, defense attorneys, and others. During the year, Commission staff trained thousands of individuals at more than 150 training sessions across the country (including ongoing programs sponsored by the Federal Judicial Center and other agencies).

During the year, the Commission's "HelpLine" provided guideline application assistance to more than 100 callers each month. The Commission continues to rely on its Internet site (*www.ussc.gov*) as a means of providing information about the agency and its work.