

Law Offices
THOMAS W. TANNER
P.O. Box 480
Covington, Louisiana 70434

034-94

Telephone: (504) 892-0202
Fax: (504) 892-9576

March 15, 1994

424 Vermont Street
Covington, LA

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

Attention: Public Information

Dear Commission Members:

As Chairman of the Louisiana Sentencing Commission, a retired judge, and now a practicing attorney, I have been following the federal sentencing guidelines and would like to urge the Commission to support the changes or amendments to the Sentencing Guidelines for United States Courts recommended by the Commission, which are the subject of the public hearing to be held March 24, 1994 and which may be reported to Congress by May 1, 1994.

I am particularly in support of, and strongly urge, that the Commission recommend the proposed amendment to Chapter Two, Part S revising and consolidating Sections 2S1.1 and 2S1.2.

I also urge the adoption of the proposed amendment to Section 1B1.10 but believe that instead of "the Court may consider a reduction in the defendant's term of imprisonment", this provision should read "the Court shall consider a reduction in the defendant's term of imprisonment" if the guidelines range applicable to the defendant has been lowered as a result of an amendment. To do otherwise would deny justice to people already sentenced merely because the date sentencing occurred was prior to the passage of the amendment.

I also favor, and urge you to recommend, that all amendments to the sentencing guidelines be made retroactive. To do otherwise would again deny justice, decency and fair play to defendants already sentenced.

I believe that an extraordinary effort should be made to recommend the proposed changes to Congress by May 1, 1994, and that the commission members do all in their power to insure passage of the recommendations.

(94)

Thanking you for your assistance and cooperation in this matter, I am,

Sincerely,



Thomas W. Tanner

TWT:ege

cc: Hon. J. Bennett Johnston
Senate Office Building
Washington, D.C. 20510

Hon. John Breaux
Senate Office Building
Washington, D.C. 20510

Hon. Robert L. Livingston
House Office Building
Washington, D.C. 20515