

January 1995

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

ATTENTION: Public Comment

REGARDING: Sentencing Amendment - Marijuana

Since it has come to my attention that the Sentencing Commission is accepting public comment in regards to changing the Sentencing Guidelines for marijuana, I feel compelled to provide you with my concerns.

Public opinion is not that anti-marijuana. Marijuana was mistakenly made a Schedule 1 Narcotic. Given this erroneous classification, marijuana was "Lumped In" with far more dangerous hard drugs. Now we sentence so severe as to be borderline cruel and unusual punishment. Myself, like many other Americans have a greater fear of gun violence than some pot grower.

The current guidelines of a kilogram per plant in cases involving 50 or more plants is absurd. It is intolerable to ascribe this unrealistic weight to each plant, when 1 to 49 plants are ascribed a weight of 100 grams. It doesn't take a Rhodes Scholar to see the inconsistency. I would suggest a more sensible weight per plant somewhere in the 50 to 100 gram range. This should be uniformly applied regardless of the number of plants. This would just make sense. If sentencing is done by weight, it should be a reasonable approximation of weight, not the exorbitant weights currently used for sentencing.

I would also like to suggest in the true spirit of undoing a past wrong, that the proposed new guidelines be made retroactive.

Thank you for an opportunity to express my feelings.

Sincerely,

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