

United States District Court
Central District of California
Los Angeles, California 90012

Chambers of
Robert M. Takasugi
U.S. District Judge

April 4, 2001

VIA FAX: (202) 502-4699

Office of Public Affairs
United States Sentencing Commission
One Columbus Circle, N.E.
Washington, DC 20002-8002

Dear Sirs:

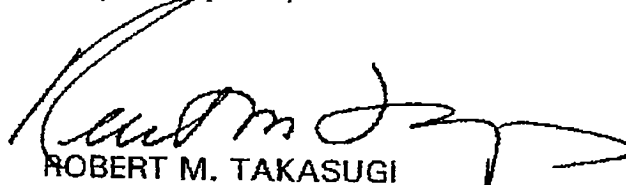
Following are my comments in response to Mr. McGrath's letter of March 13, 2001 on the proposed amendment to USSG §2L1.2.

I have found that §2L1.2(b)(1) frequently results in offense levels substantially disproportionate to the seriousness of the prior aggravated felony conviction. This seems to occur primarily because subsection (b)(1) does not distinguish among the types of aggravated felonies and does not provide for smaller increases for less serious aggravated felonies. I believe the proposed tiered sentencing enhancements being based on the period of imprisonment actually served is a just method of effecting a more proportionate sentencing guideline.

I would also like to comment on the question posed whether aggravated felonies that were committed beyond a certain number of years prior to the instant offense should not count for purposes of triggering subsection (b)(1): It is my opinion that aggravated felonies committed more than ten (10) years prior to the instant offense should not count for such purposes. It is not uncommon for a defendant, who has led an exemplary adult life for many years, to be subject to a very harsh sentence merely because of what may have been "youthful indiscretions."

Thank you for allowing me this opportunity to state my views.

Very truly yours,



ROBERT M. TAKASUGI

RMT:tgc