



COMMITTEE ON CRIMINAL LAW
of the
JUDICIAL CONFERENCE OF THE UNITED STATES
9535 Bob Casey United States Courthouse
515 Rusk Avenue
Houston, Texas 77002

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Honorable Richard A. Enslin
Honorable Jose Antonio Puyic
Honorable David F. Hamilton
Honorable Henry M. Harlow, Jr.
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Honorable Sim Lake, Chair

August 9, 2005

Honorable Ricardo H. Hinojosa
Chair, United States Sentencing Commission
United States District Court
Texas Commerce Center
1701 West Highway 83
McAllen, TX 78501

Dear Ricardo:

I write on behalf of the Judicial Conference Committee on Criminal Law in response to the Sentencing Commission's request for public comment on its proposed priorities for the amendment cycle ending May 1, 2006, and beyond. The Committee has reviewed the proposed Commission priorities and has voted unanimously to reiterate our request that the sentencing guidelines be simplified.

In our testimony before the Commission in November of 2004, recognizing the increasing complexity of the sentencing guideline system and in anticipation of the *Booker* decision, we asked the Commission to renew its efforts to simplify the guidelines. In 1995, at the Committee's urging, then-Commission Chair Judge John Conaboy determined a need for the Commission to take a hiatus from the amendment process in order to allow the Commission to focus on an extensive assessment of the sentencing guidelines. The Commission began its assessment of the sentencing guidelines to determine how they could be streamlined or simplified. Hearings were held in Washington, DC, and Denver, Colorado, and Commission staff prepared a series of working papers to examine relevant conduct, the level of detail in specific offense guidelines, sentencing options, departures, and the Sentencing Reform Act itself. Due to turnover in Sentencing Commissioners, this review effort was not completed.

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While the sentencing guidelines are now advisory in nature, courts will continue to calculate the guidelines and rely on them in their sentencing decisions. Simplification of the guidelines will greatly assist judges in complying with *Booker*. We hope that the Commission will designate simplification of the sentencing guidelines as a priority for the next amendment cycle. We stand ready to provide whatever assistance the Commission may need for this initiative.

Very truly yours,



Sim Lake