

THE UNIVERSITY OF
ALABAMA
SCHOOL OF LAW

May 3, 2013

The Honorable Patrick J. Leahy, Chair
Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Leahy:

It is my pleasure to support the nomination of Judge William H. Pryor as a member of the United States Sentencing Commission.

I have known Judge Pryor for over 15 years. During that time, we have worked together on sentencing reform in Alabama; I have attended conferences at which he has served as a speaker or panelist; and as a faculty member, I have followed his service to the University of Alabama School of Law in various capacities including adjunct professor of law. He would be an excellent Commissioner.

I first met Judge Pryor about 1997 just after he was appointed Attorney General of the State of Alabama. I was impressed by the fact that as a young, newly appointed Attorney General, he almost immediately began a campaign to reform Alabama's sentencing laws. Many Alabamians, including me, knew that our criminal justice system was in crisis. What we most needed was a strong leader for reform. As Attorney General, Bill Pryor was positioned to lead a reform effort, and that is what he chose to do.

Having already served as a state circuit judge and as criminal law and procedure professor for over 20 years, and having taught criminal sentencing for years to judges and law students, I well understood the challenges Bill Pryor would face – and face them he did. He admirably navigated complex political and financial situations to begin sentencing reform efforts that continue to this day. He allied with then Alabama Supreme Court Chief Justice Perry Hooper to start sentencing reform in Alabama, and was instrumental in creating the Alabama Sentencing Commission. He built a coalition for sentencing reform. He convinced key legislators, judges and prosecutors to support legislation, and helped obtain funding through grants and interagency transfers. He also assigned his Chief Assistant Attorney General to the Sentencing Commission on an almost full-time basis. She still serves the Commission as Vice-Chair.

Chief Justice Hooper appointed me to serve as Chair of the Alabama Sentencing Commission, a position I still hold. Thus, I am quite able to state from personal knowledge that without the leadership and assistance of Attorney General Pryor, the Sentencing Commission almost certainly would not have been established and likely would not have survived.

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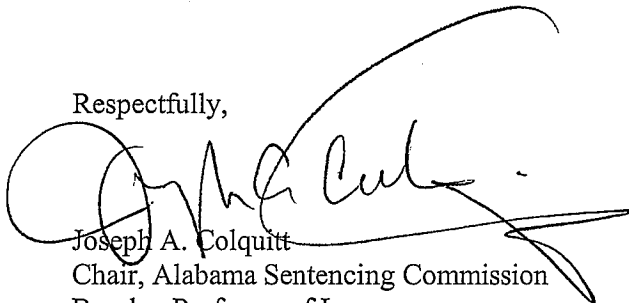
This Fall, Alabama will move from voluntary sentencing guidelines to presumptive guidelines for non-violent crimes. The Sentencing Commission, subject to legislative veto, can promulgate guidelines for non-violent crimes. We also will be proposing presumptive guidelines for violent crimes, but those will require legislative approval. Alabama is also implementing an appellate review of sentencing process. We continue to have overcrowded facilities, backlogs, shortage of funding, and many other challenges, but we also have a Commission and plans to address those issues. And that Commission and its work is a product of Attorney General Pryor's insight and efforts.

Judge Pryor is exceptionally well-qualified to serve on the United States Sentencing Commission. I remember encouraging Daniel Freed of the Yale Law School to seek appointment to the Commission a number of years ago. Professor Freed knew sentencing reform and would have been a splendid Commissioner. Judge Pryor not only knows sentencing reform, but he also has organized and orchestrated sentencing reform efforts.

Judge Pryor has demonstrated outstanding courage and leadership as an attorney general, a sentencing reformer, and a federal judge. He should be confirmed to serve as a Commissioner on the United States Sentencing Commission.

If I can be of further assistance, please feel free to call on me.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Colquitt", with a large, sweeping flourish extending from the end of the signature.

Joseph A. Colquitt
Chair, Alabama Sentencing Commission
Beasley Professor of Law
The University of Alabama
School of Law
and Circuit Judge – Retired (Alabama)