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Congress of the United States

House of Representatives
Washington, DC 20515-4209

RECEIVED JAN 08 2014

November 22, 2013

COMMITTEE ON THE JUDICIARY

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COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
(U.S. HELSINKI COMMISSION)

The Honorable Patrick J. Leahy
Chairman
Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Leahy:

It was a pleasure seeing you at the premiere of "Alpha House" at the Newseum earlier this week and I enjoyed our conversation, as always.

Thank you for scheduling a hearing on the judicial nomination of Sheri Lipman, who I recommended to President Obama, and for your efforts to move her confirmation through the Judiciary Committee. I am confident that she would make an excellent judge and I hope her nomination will see swift passage in the Senate.

As we discussed, I also appreciate your leadership in advancing legislation to address federal sentencing laws. I am proud to be an original cosponsor of the House companion to the bill you introduced with Senator Paul, the Justice Safety Valve Act, and I was pleased to see that you recently held a hearing regarding mandatory minimum sentences. Your hearing helped shine a spotlight on the manifest injustice these sentences have created and I hope Congress will follow your lead to rectify the situation.

I am also particularly concerned about President Obama's sparing use of the pardon and commutation power. It's critical that the President act now to deliver justice to the thousands of people currently serving unjust sentences, rather than waiting until the end of his term, if at all. As you know, the "fierce urgency of now" demands that he act without delay to assist those who needlessly sit in prison, deprived of their liberty.

Thanks to your leadership, Congress took a critical step towards eliminating the dramatic and unfair disparity between crack and cocaine sentences when it passed the Fair Sentencing Act.

But too many people who were sentenced before the law was passed are still serving sentences that have been repudiated by Congress. Now that Congress has declared these sentences to be void against public policy, the President should use his commutation power to remedy this injustice and others.

I am currently working with Representatives Conyers, Scott, and Rangel to hold a forum on this important issue and bring attention to the need for President Obama to make broader use of his commutation power. In addition, I recently wrote a letter, which I am attaching for your review, to the President proposing that he create a Compassionate Release Review Board within the Pardon Office at the Department of Justice. This board would be led by a respected member of the legal field and would undertake a systematic review of the sentences of all current federal prisoners and recommend worthy candidates for pardon or commutation. It would also consider broad classes of offenders whose sentences no longer align with national policies and values, particularly those convicted of non-violent crimes relating to drugs. My letter expresses disappointment that the President has been so sparing in his use of the pardon power and urges him to make full use of it to provide a second chance to people who have paid their rightful debt to society.

In the face of unprecedented Republican obstruction, the President has the opportunity to use his executive power to deliver justice to those who most need it. I hope we can work together to encourage him to take this important action as soon as possible. Thank you for leadership on this issue and for the kindness you have always shown to me.

As always, I remain,

Most sincerely,

A handwritten signature in black ink, appearing to read "Steve Cohen". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Cohen".

Steve Cohen

Member of Congress