



# U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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## *News Advisory*

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## **Sensenbrenner Introduces Legislation to Restore Fairness and Equity to Federal Sentencing**

### ***Legislation Responds to the Increase in Federal Sentencing Departure Rates Since the Booker Decision***

WASHINGTON, D.C. – House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today introduced H.R. 6254, the “Sentencing Fairness and Equity Restoration Act of 2006,” to restore fairness and equity to federal sentencing and to address the Supreme Court’s decision in *United States v. Booker*, which invalidated the mandatory sentencing requirement of the Federal Sentencing Guidelines.

Chairman Sensenbrenner said, **“Two of the hallmarks of our judicial system, fairness and equity, have been undermined since the Supreme Court’s *Booker* decision last year. The legislation introduced today will reverse this slide to ensure that the sentence administered depends more upon the crime committed than which courtroom is issuing the sentence.”**

“The Sentencing Commission’s report issued in March shows that in the last year there has been a large increase in below Guidelines range sentences for defendants convicted of sexual abuse of a minor, of sexual exploitation of a child, of sexual contact of a minor, of trafficking in child pornography, and of possession of child pornography,” added Chairman Sensenbrenner.

“Shortly after the release of the *Booker* report, I expressed my concern regarding the increase in departures rates, particularly for sexual offenses, and promised a legislative response. The Sentencing Fairness and Equity Restoration Act directs the courts to impose a sentence at the minimum of the Guideline range up to the statutory maximum and reinstates *de novo* review for all downward departures,” Chairman Sensenbrenner stated. “The Act also requires the Attorney General to create and implement a new policy for the filing of motions for departure for substantial assistance and report this policy to Congress within 180 days of enactment of the bill.”

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