



LEGAL DEPARTMENT

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Statement Regarding Clemency

On March 31, 2015, following an Administration-wide commitment to reform sentencing guidelines for nonviolent drug offenders, President Obama commuted prison sentences for 22 people convicted of federal drug crimes, many of whom faced decades to life behind bars. These individuals are among thousands who have submitted clemency petitions, and who likely would have received shorter sentences for their offenses if they had been sentenced under today's federal law regarding drug crimes.

[Clemency Project 2014](#) is a crucial step towards rectifying a clear injustice in the current federal sentencing system. The American Bar Association, The American Civil Liberties Union, Families Against Mandatory Minimums, Federal Public and Community Defenders, and the National Association of Criminal Defense Lawyers have joined together under a working group they call Clemency Project 2014.

Through the efforts of Clemency Project 2014, the participating organizations are identifying potential clemency petitioners and recruiting and training volunteer lawyers to assist the petitioners in securing clemency. There are likely thousands of federal prisoners who, if they were sentenced under current guidelines for non-violent drug crimes, would be serving substantially reduced sentences. This initiative is not merely focused on early-release; Clemency Project 2014 seeks to bring sentences in line with current federal standards.

Charles Koch and Koch Industries agree with the Department of Justice's criteria for eligibility for clemency: non-violent, low-level offenders who have served 10 years or more; no significant criminal history or ties to large-scale organized crime; a record of good conduct in prison; and who, if sentenced today, would receive a less severe sentence.

We unconditionally support the Bill of Rights, which is the blueprint for our free society, and equal protection under the law. We recognize that clemency is the mechanism by which these individuals must seek their freedom under our system. However, consistent with the Bill of Rights and the rule of law, we believe that the laws should be changed to enable those who were sentenced in the past under more severe sentencing laws to obtain the benefit of more reasonable penalties that are now in place. Until there is a change in that legal process, we believe that everyone who meets the common sense criteria set by the Department of Justice should be granted clemency. We do not believe that keeping these individuals in prison under these circumstances is just nor does it enhance public safety. We also hope that those who are freed will not allow their worst days and prior bad choices to define them, but instead take this second chance to make a positive impact on their families' and their communities' well-being.

-- Mark V. Holden