

# THE CONSTITUTION PROJECT



*Safeguarding Liberty, Justice & the Rule of Law*

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## **TCP Helps Promote Commutation for Weldon Angelos**

*Group Cites 'Unjust, Cruel and Irrational' Mandatory Minimum Sentence Laws*

**WASHINGTON, D.C.** -- More than 100 prominent people - including former elected and appointed government officials, former federal judges and prosecutors, as well as authors, scholars, activists and religious and business leaders - have signed a [letter](#) appealing to President Obama to commute the sentence of a man condemned to 55 years in prison as the result of "unjust, cruel and irrational" mandatory minimum sentencing laws.

In 2004, a federal judge in Utah sentenced Weldon Angelos to 55 years imprisonment for possessing firearms in connection with selling \$350 worth of marijuana. In imposing the sentence, the court acknowledged that Angelos, a first-time offender with no criminal record, never brandished the guns in his possession, nor did he cause or threaten to cause any injury. Nonetheless, because the crimes occurred in three separate transactions, the judge determined that federal mandatory minimum sentencing guidelines gave him no discretion in imposing the lengthy sentence.

"Weldon Angelos is a poster child for what is wrong with federal mandatory minimum sentencing laws, and his case is a good example of why it is so important for Congress to do something about them," said Virginia Sloan, president of The Constitution Project (TCP), a bipartisan legal watchdog group that helped recruit signers for the letter, which was delivered to the Office of the Pardon Attorney earlier today.

The letter notes that, in imposing the 55-year sentence, Judge Paul Cassell called the case "one of those rare cases where the system has malfunctioned," and recommended presidential commutation as the most appropriate means of redress. Cassell was appointed to the federal bench by President George W. Bush in 2002. The letter also enumerates many instances of calls for clemency for Angelos in Congress and in the media.

Among those signing the letter are Norm Bangerter, former Republican Governor of Utah; Mark White, former Democratic Governor of Texas; former U.S. Senator Jake Garn (R-UT); Mark Shurtleff, former GOP Attorney General of Utah; onetime Salt Lake City mayor and civil rights lawyer Rocky Anderson; former federal judge and FBI Director William S. Sessions, and Frank O. Bowman III, former special counsel for the United States Sentencing Commission. Bowman was also a reporter for TCP's Sentencing Committee, which urges greater [sentencing discretion](#) for federal judges.

The Constitution gives the president the power to grant pardons or commute sentences in order to ensure justice. While in the White House, President Clinton pardoned well over 100 people. So did President George W. Bush. To date, President Obama has been much less willing to exercise this presidential prerogative, which is essential to a strong and fair criminal justice system.

Sloan said that The Constitution Project supports bipartisan legislation pending before the Senate (S. 619) and House (H.R. 1695) that would authorize federal judges to impose a prison sentence below the statutory mandatory minimum in cases in which a lower sentence will not jeopardize public safety, the judge determines the defendant is unlikely to become a repeat offender, and in other circumstances in which the minimum sentence is unwarranted, such as an offender's limited role in a crime or other mitigating factors.

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#### [About The Constitution Project](#)

*Created out of the belief that we must cast aside the labels that divide us in order to keep our democracy strong, The Constitution Project (TCP) brings together policy experts and legal practitioners from across the political spectrum to foster consensus-based solutions to the most difficult constitutional challenges of our time. TCP seeks to reform the nation's broken criminal justice system and to strengthen the rule of law through scholarship, advocacy, policy reform and public education initiatives. Established in 1997, TCP is based in Washington, D.C.*