

May 25, 2016

Senator Mitch McConnell
Majority Leader
317 Russell Senate Office Building
Washington, DC 20510

Congressman Paul Ryan
Speaker of the House
1233 Longworth House Office Building
Washington, DC 20515

Senator Harry Reid
Minority Leader
522 Hart Senate Office Building
Washington, DC 20510

Congresswoman Nancy Pelosi
Minority Leader
233 Cannon House Office Building
Washington, DC 20515

Re: My personal story as a Bush commutation recipient

Dear Senators McConnell and Reid, and Representatives Ryan and Pelosi:

My name is Phillip Emmert. My wife, Dixie, is native to Iowa and, although raised in Arkansas, I have lived in Iowa for nearly 40 years.

In December 2006, after serving 14 years in federal prison, former President Bush commuted my 22-year sentence. He took a chance on me, and that second chance was life changing. In 1992 I was charged with conspiracy to distribute methamphetamine. I was told when I got arrested that I was looking at a year, maybe. I went to trial and wound up getting 27 years because I was charged with conspiracy, which was later reduced to 22 years. I had no clue that one could actually receive 27 years without parole for a first time offense. I thought those kinds of sentences were reserved for predators and people who hurt people.

My judge looked me right in the eye and said, "I don't want to do this." The prosecutor stood up and said, "You've got to do this," and the judge told him to sit down. He was mad. He said, "I know what I've got to do, but I don't want to do it."

It is critical that judges have the discretion to consider each individual's situation. But mandatory minimum sentences don't give judges any discretion. Such sentences actually take judges completely out of the equation. For example, everyone who testified against me at trial said they sold me drugs – not a single person testified that I sold them drugs. But every person who testified against me got less time than I did. The sentencing reform legislation before Congress today would give judges more discretion in cases such as mine.

While in prison I kicked my addictions, became a Christian, took job training and volunteered at a hospice for prisoners. And then President Bush gave me the opportunity to prove to others that I had truly changed my life. That opportunity, however, should not have to rely on the mercy and compassion of presidents. It is pertinent that Congress pass legislation that will allow many more people in circumstances similar to mine, the same opportunity.

I had the honor to be one of the seven commutation recipients President Obama had lunch with several months ago. Since my release I have always felt a huge sense of responsibility to ensure

that I don't mess up so that future presidents can feel confident that they are doing the right thing in giving deserving candidates a second chance. And I am sure that those who will be released pursuant to the passage of sentencing reform legislation will feel the same way I do and act to make Members of Congress proud.

When I was first released, I was scared. My wife was in a car accident the year after I was locked up and was confined to a wheelchair. I had always felt bad about not being able to be there for her. She stuck with me all those years, through thick and thin – very very few people do. And my daughter was waiting for me. I remember that feeling of overwhelming gratitude and relief and being able to run to the phone and tell my daughter that her daddy is coming home – there's nothing more powerful than that. So I had a support group. But it was still tough. I had a 14-year gap in my employment. But there were people who took a chance on me. I was lucky to find a job three weeks out of prison and to later use the job training I received in prison to land a solid position maintaining air-handling systems at the Veterans Affairs Medical Center in Iowa City. I have been working there for the past nine years. After about 5 months on the job, I was blessed to be able to get my wife off of disability. I told her, "I'm going to take care of you now." It was one of the best moments of my life.

I beseech you to do everything in your power to make sure strong sentencing reform legislation is passed and goes to the President's desk for signature. My sentence of 22 years was egregious, and a sentence of life without parole for currently nonviolent people is unconscionable. One can never underestimate what one act of kindness can do to change somebody's life. Passage of the Senate Sentencing Reform and Corrections Act and the House Sentencing Reform Act will provide hope to people serving unfairly lengthy prison terms that they too might have a second chance to rebuild their lives. There has never been a better time for Congress to be bold in fixing way too harsh federal sentencing laws than there is now.

Human rights around the world are very important to Americans, yet we have imprisoned more of our citizens than any country in the world. We are better than this. Freedom and compassion are at the heart of what it means to be Americans. Our Governor, Terry Branstad, just signed a bill that will allow the early release of hundreds of people serving drug felony sentences in Iowa. The bill will also give judges more discretion during sentencing. Please follow the wishes and prayers of most states and help to bring common sense to Federal Sentencing Laws.

A very proud and thankful American,

/Phillip Emmert/

Phillip Emmert