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August 9, 2010

Ronald L. Rogers
Office of the Pardon Attorney
1425 New York Avenue, N.W.
Suite 11000
Washington, D.C. 20530

Re: Petition for Commutation of Sentence – Barbara L. Scrivner

Dear Mr. Rogers:

I join my predecessor U.S. Attorney, the veteran Assistant U.S. Attorney who prosecuted this case, and the sentencing judge in supporting the petition for commutation filed by Barbara L. Scrivner. I believe her case meets all the criteria for relief and that her sentence should be commuted to time served. She already has served more than 16 years for her drug trafficking offense.

1. *Severity of Sentence:* Ms. Scrivner received a 30-year sentence for her minor role in a methamphetamine distribution conspiracy in which her husband was much more deeply involved. Her role was limited to providing occasional assistance to her husband. Because she chose to go to trial, rather than testify against her husband, she was held responsible for the conspiracy's entire relevant conduct and did not get a departure. This sentence is disproportionate both to other defendants in this case and to similar cases in this district. Notably, other defendants in this case who cooperated received sentences of 60, 96, and 120 months. Given that her principle distinction from these other defendants was her failure to cooperate, Ms. Scrivner's time in custody (nearing 200 months) already has served as an adequate sanction. Moreover, her original sentence was very rare in terms of its severity for her minor role. I do not believe granting relief would set a difficult precedent. The sentencing judge, the original prosecuting AUSA, and I all agree that a 15-year sentence is adequate to address her conduct.

2. *Post-conviction Conduct:* By all accounts, Ms. Scrivner has been an exemplary inmate. She has completed the RDAP and New Pathways Programs, and has taken a number of academic courses. She has spent more than 10 years providing mentoring and career counseling to other inmates. She also has obtained job training. I believe she has demonstrated the capacity to lead a responsible and productive life.

3. *Acceptance of Responsibility:* Ms. Scrivner has accepted responsibility for her conduct and has sought to atone for her crimes through her mentoring and counseling activities.