



U.S. Department of Justice

United States Attorney  
Eastern District of Louisiana

Kenneth Allen Polite, Jr.  
United States Attorney

650 Poydras Street, Suite 1600  
New Orleans, Louisiana 70130

Telephone: (504) 680-3000  
Fax: (504) 680-4978

April 22, 2015

VIA EMAIL

Deborah Leff, Esq.  
Office of the Pardon Attorney  
U.S. Department of Justice  
1425 New York Avenue, N.W.  
Suite 11000  
Washington, D.C. 20530

Re: Danielle Bernard Metz Application for a Commutation of Sentence

Dear Ms. Leff:

In August 1993, a jury in the United States District Court for the Eastern District of Louisiana convicted Danielle Bernard Metz of four counts<sup>1</sup> related to a conspiracy to distribute cocaine. Under the then-mandatory Sentencing Guidelines, Ms. Metz received three concurrent sentences of life without the possibility of parole. Her *pro bono* attorneys recently informed our office that she intends to submit an Application for a Commutation of Sentence and asked that we support her Application. As explained below, based on Ms. Metz's age at the time of arrest (25 years old), her subordinate role in the offense vis-à-vis her husband (who was the unquestioned leader of the conspiracy), her status as a first-time, non-violent offender, and the fact that she has now served over 22 years in prison, we support Ms. Metz's Application.

*Summary of Facts*<sup>2</sup>

The offenses for which Ms. Metz seeks a commutation represent her only encounter with the criminal justice system. Ms. Metz was born and raised in New Orleans, Louisiana. In 1985, she dropped out of high school at age 17 after becoming pregnant. Later that year, her son was born. The boy's father, however, died unexpectedly six months later. In 1986, Ms. Metz (nee Bernard) met Glenn Metz. She was 18 and he was 30. Shortly thereafter Ms. Metz and her son moved in with Mr. Metz. After moving in with Mr. Metz, Ms. Metz became pregnant and subsequently had a baby daughter. Mr. and Ms. Metz were married in 1989.

The evidence at trial proved that Mr. Metz, helped by his wife, Ms. Metz and others, headed a conspiracy that distributed over 1,000 kilograms of cocaine in the New Orleans metropolitan area from 1985 to 1992. In addition to distributing cocaine, several conspirators also committed murders and other violent crimes in furtherance of the conspiracy. The

<sup>1</sup> Count One, conspiracy; Count Three, continuing criminal enterprise (CCE); Count Five, possession with intent to distribute cocaine; and Count Six, money laundering.

<sup>2</sup> The description of the offense conduct is based on Ms. Metz's Presentence Investigation Report, and trial testimony.

government is not aware of any evidence showing that Ms. Metz was involved in these violent acts.

Ms. Metz participated in the conspiracy primarily by helping her husband and doing the following: travelling on several occasions to Houston by car with other conspirators to pick up approximately 40 kilograms of cocaine, and bringing it back to New Orleans; receiving and distributing both cocaine and cash from her New Orleans residence to conspirators; making monthly cash deliveries to a conspirator; and wiring funds on several occasions to cocaine suppliers.

#### *Grounds for Clemency*

Nine members of Mr. Metz's organization (the leadership), including Ms. Metz, were indicted together and convicted of felony offenses. Five conspirators received life sentences: Mr. Metz; Ms. Metz; and three other defendants who were each convicted of both murder and drug trafficking.

According to the Presentence Investigation Report (PSR), there were an additional twenty-six "related" defendants. PSR at ¶¶ 27-52. Each of these "related" defendants was convicted of cocaine distribution and/or firearm offenses. *Id.* Except for the five conspirators that received life sentences, based on search results from the BOP website provided to me by Ms. Metz's counsel, it appears that the other defendants have completed their federal sentences.

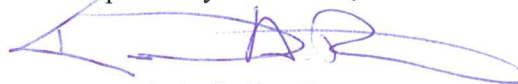
Additionally, I recently spoke to Ambassador Clint Williamson who served in 1993 as one of the trial attorneys who prosecuted Ms. Metz and a number of the other defendants. Ambassador Williamson expressed his support for Ms. Metz receiving a commutation of sentence. My office has also spoken to the investigative agencies involved in prosecuting Ms. Metz, including the DEA, and they do not have any objection to Ms. Metz receiving a commutation of sentence.

Finally, Ms. Metz has served almost her entire 22 years of incarceration at FCI Dublin, California, where she has made a strong impression on prison officials. Notably, several BOP staff members have written glowing letters in support of her request for commutation of sentence attesting to her good character and maturity.

#### *Conclusion*

Ms. Metz has now spent almost half her life in prison and we do not believe that she merits spending the rest of her life in prison. Nor do we believe that she poses any meaningful risk to public safety. Accordingly, my office supports President Obama granting Ms. Metz's application for a commutation of sentence.

Respectfully submitted,



Kenneth A. Polite, Jr.  
United States Attorney for the  
Eastern District of Louisiana

cc: Sam S. Sheldon (via email)  
Jerry Mooney (via email)