

111TH CONGRESS
1ST SESSION

H. R. 3327

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2009

Mr. SCOTT of Virginia (for himself and Mr. POE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ramos-Compean Jus-
5 tice Act of 2009”.

6 **SEC. 2. AUTHORITY TO IMPOSE A SENTENCE BELOW A**
7 **STATUTORY MINIMUM.**

8 Section 3553 of title 18, United States Code, is
9 amended by adding at the end the following:

1 “(g) AUTHORITY TO IMPOSE A SENTENCE BELOW A
2 STATUTORY MINIMUM TO PREVENT AN UNJUST SEN-
3 TENCE.—

4 “(1) GENERAL RULE.—Notwithstanding any
5 provision of law other than this subsection, the court
6 may impose a sentence below a statutory minimum
7 if the court finds that it is necessary to do so in
8 order to avoid violating the requirements of sub-
9 section (a).

10 “(2) COURT TO GIVE PARTIES NOTICE.—Before
11 imposing a sentence under paragraph (1), the court
12 shall give the parties reasonable notice of the court’s
13 intent to do so and an opportunity to respond.

14 “(3) STATEMENT IN WRITING OF FACTORS.—
15 The court shall state, in the written statement of
16 reasons, the factors under subsection (a) that re-
17 quire imposition of a sentence below the statutory
18 minimum.

19 “(4) APPEAL RIGHTS NOT LIMITED.—This sub-
20 section does not limit any right to appeal that would
21 otherwise exist in its absence.”.

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