

Andrew Graeve Comments on Article for Bloomberg Law

Des Moines, IA (November 2024) -- Since the amendments to 18 U.S.C. § 3582(c)(1)(A) by the First Step Act of 2018, Andrew Graeve has litigated dozens of requests for sentencing reductions in federal court on behalf of his clients. Commonly referred to as “compassionate release,” Section 3582(c)(1)(A)(i) permits courts to reduce a sentence if, after considering the general factors relevant to sentencing under 18 U.S.C. § 3553(a), “extraordinary and compelling reasons” warrant such a sentencing reduction and the reduction is consistent with the U.S. Sentencing Commission’s policy statements. In November 2023, the U.S. Sentencing Commission amended its policy statement, at U.S. Sentencing Guideline § 1B1.13, to state that an “unusually long sentence” could constitute an “extraordinary and compelling reason.”

Andrew was asked by Bloomberg Law to comment on ongoing challenges by the Department of Justice to the U.S. Sentencing Commission’s authority to issue this amended policy statement. After the Department of Justice had, for years, said that the Sentencing Commission had authority to amend the policy statement, Andrew commented that the about-face by the Department of Justice was itself “extraordinary.” The Bloomberg Law article is available at: [Sentencing Commission Policy Power Faces Unusual Challenge \(1\)](#)

Andrew has an article published in *The Iowa Lawyer* and the *Journal of the Missouri Bar* on the ongoing debate about the U.S. Sentencing Commission’s authority to amend its policy statement. Those articles can be found at [The Iowa Lawyer Magazine](#) and [Journal of the Missouri Bar](#).



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