

United States Senate

WASHINGTON, DC 20510

March 25, 2022

The Honorable Ketanji Brown Jackson
E. Barrett Prettyman United States Courthouse, Room 5700
333 Constitution Avenue, Northwest
Washington, District of Columbia 20001

Dear Judge Jackson,

During your confirmation hearing, you were asked by multiple members about the extraordinarily lenient sentences that you have given to child pornography offenders. Your sentences for child pornography offenders were routinely less than the sentences recommended by the sentencing guidelines and less than the sentences recommended by the prosecutors—in fact, you gave reduced sentences far more often than did average federal judges.

In one specific case that was addressed at the hearing, you sentenced a man named Wesley Hawkins, who distributed child pornography on the internet. The sentencing guidelines recommended a sentence of about 8-10 years. As a result of a plea agreement, the prosecutors in the case recommended a 24-month sentence, and your own probation office recommended 18 months. You, however, sentenced Hawkins to a mere three months in BOP custody for his crimes. In 2019—when he would have been in prison if you had followed the sentencing guidelines—Hawkins apparently did something that caused you to send him back to BOP custody for six months in a halfway house, along with instituting new restrictions on his computer usage. According to the court docket in the case, on April 17, 2019 (five and one-half years after your original sentence), you concurred with the recommendation of a “Probation Petition” and ordered that Hawkins return to BOP custody in a halfway house for six months, and that he allow the probation officer to install computer monitoring software on his electronic devices.

Your lenient sentencing in the Hawkins case was the subject of significant interest in the Committee’s review of your judicial record. Our review of your nomination requires that the Committee fully understand the circumstances that informed your actions in this case. Accordingly, consistent with measures necessary to protect the privacy of the victims and other innocent third parties, please immediately provide the Committee with a copy of the probation petition that you referenced in that April 2019 order, and an explanation of what Hawkins did in 2019 that earned him twice as much time in BOP custody as your original three-month sentence. If discussing those details necessitates confidentiality, please contact the Committee to schedule a closed-door briefing on the topic. Further, please confirm whether computer monitoring software was already required prior to 2019 as part of your original sentence in the Hawkins case.

Thank you for your prompt attention to this important matter.

Sincerely,



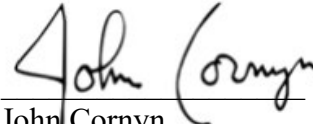
Tom Cotton
United States Senator



Chuck Grassley
United States Senator



Lindsey O. Graham
United States Senator



John Cornyn
United States Senator



Michael S. Lee
United States Senator



Ted Cruz
United States Senator



Ben Sasse
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Thom Tillis
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Marsha Blackburn
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