

Congress of the United States
Washington, DC 20515

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

December 16, 2020

Dear Mr. President,

We write in support of executive clemency for Sholam Weiss. Mr. Weiss is currently serving an 835-year sentence without the possibility of parole for his involvement in defrauding National Heritage Life Insurance. Mr. Weiss was tried and convicted by a jury of committing white-collar crimes and was rightly sentenced to a term of confinement. However, his extremely harsh sentence is unjust and should be remedied.

It has been reported that prior to his trial, Mr. Weiss was offered a one count, five-years in prison plea deal. Instead of accepting a guilty plea, Mr. Weiss decided to pursue his 6th Amendment right to a jury trial to have his claims and legal defenses considered. After a lengthy trial, Mr. Weiss was found guilty. During the jury deliberations, Mr. Weiss fled the country. He was found in Austria and extradited back to the United States to begin serving his sentence. He was sentenced to 845-years in prison without parole. This is the longest sentence imposed by a Federal Court for a white-collar crime. On appeal, the sentence was reduced to 835-years in prison without parole.

The sentence that was received by Mr. Weiss is an example of the extraordinarily harsh sentences that can be imposed when a criminal defendant decides against accepting a guilty plea. Such harsh sentences have been referred to as the “trial penalty.” The trial penalty results in a significantly longer prison sentence than those imposed on more culpable defendants who voluntarily waive their constitutional right to a jury trial. In the case of Mr. Weiss, he had an option of forgoing his 6th Amendment right to a trial by jury and accept a plea deal of five-years in prison, or to go to trial for which he lost and received an 845-year sentence without parole. The disparity between the sentence that was offered in the plea deal and the sentence received after the trial for committing a white-collar crime is unjust and unreasonable.

Moreover, only one other co-defendant received an extremely lengthy sentence of 740 years. This codefendant committed suicide while serving his time. Mr. Weiss’ other co-defendants pled guilty and received significantly lower sentences. Two co-defendants received 25 years in prison that was reduced to 13 years. Another co-defendant received 25 years in prison that was reduced to 10 years. Another received 7 years that was reduced to a little more than 5 and half years.

Mr. Weiss has already served more than 20 years in prison and is currently the only co-defendant still serving time in prison. The \$125 million in restitution that was imposed in this case has been fully paid. We respectfully request full and fair consideration of the petition for commutation filed by Mr. Weiss. We look forward to continuing to work with you on this issue.

Sincerely,



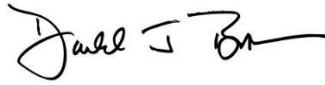
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Member of Congress



Kelly Armstrong
Member of Congress



Ted Deutch
Member of Congress



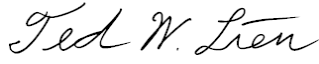
Don Bacon
Member of Congress



Sean Patrick Maloney
Member of Congress



Veronica Escobar
Member of Congress



Ted W. Lieu
Member of Congress



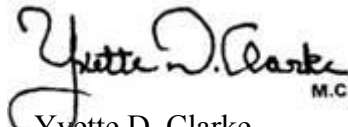
Alcee L. Hastings
Member of Congress



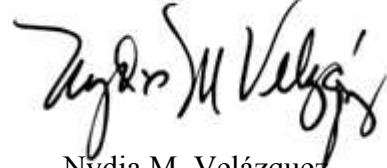
David Trone
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Yvette D. Clarke
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Nydia M. Velázquez
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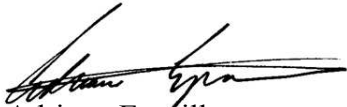
Jan Schakowsky
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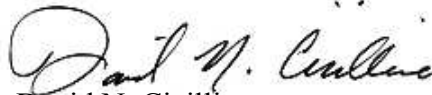
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