

DISTRICT OFFICE
410 ATLANTIC AVENUE
BROOKLYN, NY 11217
(718) 875-5200
Fax: (718) 643-6620

CITY HALL OFFICE
250 BROADWAY, ROOM 1820
NEW YORK, NY 10007
(212) 788-7348
Fax: (212) 788-9758
slevin@council.nyc.gov



THE COUNCIL OF
THE CITY OF NEW YORK
STEPHEN T. LEVIN

COUNCIL MEMBER, 33rd DISTRICT, BROOKLYN

CHAIR
GENERAL WELFARE

COMMITTEES
EDUCATION
ENVIRONMENTAL PROTECTION
LAND USE
SMALL BUSINESS
STANDARDS & ETHICS
TRANSPORTATION

SUB-COMMITTEE
ZONING & FRANCHISES

June 22, 2020

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Re: Sholam Weiss

Dear Mr. President

With the greatest respect, I request that you consider and commute Sholam Weiss's sentence to time served. Mr. Weiss was convicted on November 1, 1999 in the United States District Court at the Middle District of Florida on 76 counts and was sentenced on February 15, 2000 to an excessive 845 years prison sentence. Mr. Weiss whose primary conviction was a non-violent white-collar crime of wire fraud and money laundering, has already served over 20 years of his sentence.

Mr. Weiss's sentence is egregiously excessive and disproportionate to other white-collar sentences imposed. Taking into consideration the worst white-collar crimes in American history has a sentence like this been handed down. The two highest sentences ever imposed by a judge for a white-collar crime was in this case and the same judge, Shalom Weiss got 845 years and Keith Pound received 740 years and he has deceased in 2003.

For the first 10 years of his prison sentence Mr. Weiss was held in a maximum-security facility in Ocala Florida, secluded from society. Had Mr. Weiss been re sentenced under today's applicable sentencing guidelines, he would likely be a free man.

Under today's sentencing guidelines, Mr. Weiss's sentence would range between 30-37 months¹. The sentencing guidelines has been amended a few times since Mr. Weiss's incarceration, it was

¹ Please see attached Neiman & Mairanz P.C. sentencing opinion letter. Alan Dershowitz and Jay Sekulow support letters.

amended in 2001, 2003 and again in 2015, but was not applied in Mr. Weiss's case due to the amendments not being retroactively applied. The changes in sentencing guidelines are so significant in contrast to the old one. The new guideline range for the same criminal offence and circumstances would give Mr. Weiss 30-37 months in prison term vs. 845 years (10,140 months). Mr. Weiss has been imprisoned 5 times the current guideline range.

All restitution imposed on Mr. Weiss has been paid in full. Mr. Weiss has demonstrated exceptionally good conduct throughout his incarceration. Mr. Weiss has been a model inmate, serving as a Rabbi to other Jewish inmates for the past 15 years, teaching the culture and background of the Jewish religion, and providing spiritual guidance and uplifting where needed. Mr. Weiss's prison record demonstrates that he has devoted himself to rehabilitative and religious activities while incarcerated, focusing on improving himself and always helped others in need. Specifically, assistance to strangers without expectation of reward; fulfills financial obligations: Mr. Weiss's behavior throughout his lengthy incarceration has demonstrated that from both a retributive and rehabilitative perspective, the objectives and purposes of his sentence have been successfully served.

Mr. Weiss is 65 years old, a father of five and has 33 grandchildren and two great grandchildren and who are all eager to see him come home. Mr. Weiss's health has deteriorated in prison, with colon cancer, heart surgeries, and other ailments.

I fully support a commutation for Mr. Weiss and hope that Mr. Weiss will soon be reunited with his family.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Stephen T. Levin". The signature is written in black ink and is positioned above the printed name.

Stephen T. Levin