

PURPOSE OF THE NARRATIVE

- » The video that accompanies this lesson offers insight to help you understand how your first-person sentencing narrative can become a cornerstone of your comprehensive mitigation strategy.
- » <https://youtu.be/RiLI6OkNC3s>

Learning Objectives:

By the end of this lesson, students will be able to:

- » Understand why creating a sentencing narrative is essential, even when represented by an attorney.
- » Recognize the difference between the lawyer's legal role and the individual's personal role in sentencing.
- » Learn how federal judges view personal narratives and their impact on sentencing outcomes.
- » Identify how a well-written narrative can influence both the Presentence Investigation Report (PSR) and eligibility for programs like RDAP.
- » Begin preparing a personal strategy to humanize themselves before the court.

Lesson Summary

When entering the federal criminal justice system, many people mistakenly believe that their attorney will handle everything. While legal counsel is vital, it is not a substitute for the defendant's personal responsibility to tell their own story. Judges have emphasized that too often, defense lawyers rely exclusively on the government's account of the offense and fail to adequately present the individual's perspective. This gap can result in missed opportunities for mitigation.

A sentencing narrative is not about contesting the law or re-litigating the case—it is about showing the judge who you are as a human being. Your attorney will speak in legal terms:



- » My client did this...
- » The statute provided that...
- » Similarly situated defendants did...
- » Other judges have found....

Only you can speak in the first person voice and completely own the decisions you made. Judges appreciate it when they hear people say “I did this...because...and I learned.... Here’s how I am making things right.”

Judges want to hear directly from the people standing before them. They want to know that the person who is facing a sentencing hearing understands the crime, the influences on society, and they want to know that the person has introspected and learned from the process, or how the person’s actions hurt others in our community.

We’ve interviewed many federal judges. Judge Bennett told us that he has sentenced more than 4,000 people. In the video interview, available on the link below, he explained that defendants who provide their version of events often create nuance and context missing from the government’s narrative.

- » See video interview with Judge Bennett
- » See video interview with Judge Bough

These personal accounts can influence the Presentence Investigation Report, which in turn shapes the sentencing decision and potentially, other mitigation strategies in the months and years to come. By writing your sentencing narrative, you’re taking a crucial step to position yourself for the best possible outcome.

It’s only one step.

You should keep taking steps to develop your comprehensive mitigation strategy.

Beyond influencing the judge, a well-prepared narrative can also influence your access to administrative programs that can influence your release date if you go into the Federal Bureau of Prisons. Programs like the Residential Drug Abuse Program (RDAP) can shorten a sentence by up to a year, but qualification often depends on what the BOP will find in the PSR.



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For this reason, you should prepare your narrative in advance. Learn everything possible, and how the decisions you make today will influence your chances for early release or transition to home confinement at the soonest possible time.

We designed this course to help you build a comprehensive mitigation strategy. We recommend that you use the guidelines of 3,000 to 4,000 words for the length of your sentencing narrative. It's only a guideline to consider. You must decide what is right for you. This course will offer guidance on how to structure the narrative, and to keep it consistent in tone. It should reflect accountability, growth, and your plan to never return to the criminal justice system. Most importantly, you should write your narrative with one audience in mind: the sentencing judge.

In short, your sentencing narrative is your opportunity to humanize yourself, demonstrate responsibility, and position yourself as a candidate for mercy. The earlier you begin, the stronger your chances of influencing both your sentence and your future.

Key Takeaways

- » A sentencing narrative is essential for personalizing your case—it is your voice, not your lawyer's.
- » Judges want to see nuance, context, and accountability that only you can provide.
- » Your narrative can shape the PSR, which strongly influences sentencing outcomes.
- » A well-prepared narrative also helps qualify you for programs that can reduce prison time.
- » Start early, aim for 3,000—4,000 words, and focus on advancing yourself as a candidate for mercy.

Self-Directed Exercise

Begin drafting a one-page reflection on why you believe your story matters in your sentencing process. Use the following prompts to guide your writing:



- » Why do I believe it is important to tell my story in my own words?
- » How might my perspective differ from the government's description of events?
- » What do I want the judge to know about me beyond the crime?

Save this draft—it will serve as the foundation for your full narrative later in the course.

Assessment Questions

1. Why is it not enough to rely solely on your defense attorney to present your story?
2. In what ways can a sentencing narrative influence the Presentence Investigation Report (PSR)?
3. What is the primary purpose of a sentencing narrative?
 - ◇ a) To argue the law
 - ◇ b) To reduce legal fees
 - ◇ c) To humanize the defendant and show accountability
 - ◇ d) To replace the role of the defense attorney
4. Approximately how long should a complete sentencing narrative be?
5. Name one program that a sentencing narrative can help you qualify for post-sentencing.

