ALLOCUTION AT SENTENCING

- The video that accompanies this lesson offers more insight and commentary that will help you prepare an effective narrative as part of your comprehensive mitigation strategy.
- https://youtu.be/WSv1_IGeNJ8

Learning Objectives:

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

- Understand what allocution is and why it matters in a federal sentencing hearing.
- Prepare and practice a spoken allocution statement that is sincere, brief, and effective.
- Recognize the structure of a sentencing hearing and the moment when allocution occurs.
- Identify key themes—remorse, responsibility, lessons learned, and commitment to change—to include in their allocution.
- Build confidence by rehearsing allocution to deliver it naturally without notes.

Lesson Summary

This lesson introduces **allocution**, the brief personal statement you may give to the judge at your sentencing hearing. While your written sentencing narrative provides depth (3,000—4,000 words), allocution is spoken aloud, lasts only three to five minutes, and represents your final opportunity to show sincerity, responsibility, and hope for change.

The transcript explains that allocution typically occurs after the court resolves disputes in the Presentence Investigation Report (PSR). The prosecutor and defense attorney may address discrepancies, after which the judge rules. At some point, the judge will ask your attorney whether

you wish to speak. Judges do not ask you directly; preparation ensures that your attorney can confidently say "yes."

Purpose of allocution. The judge already has your full narrative. Allocution is not for repeating every detail. Instead, it is your chance to:

1. Express remorse for your conduct and the harm caused.
2. Accept responsibility without excuses or minimization.
3. Share lessons learned, whether through custody, study, or reflection.
4. Commit to change, showing that rehabilitation is your personal responsibility.

How to deliver allocution. Speak in your own words, directly to the judge. If possible, do not read from notes—maintain eye contact and convey sincerity. If you must use notes, limit them to a few bullet points. A natural opening is to acknowledge nervousness: *"Your Honor, I am nervous to speak today, but I am grateful for the chance to address the Court."* Such honesty shows humility.

Example themes. The transcript models a statement: recognizing initial denial at the time of arrest, describing a turning point during solitary confinement, and highlighting how books and reflection led to new values. The statement acknowledges that punishment is necessary but emphasizes rehabilitation as a personal responsibility. It concludes with gratitude and a respectful request for mercy: *"If the Court finds me a candidate for rehabilitation, I ask for mercy."*

Preparation. Practice is essential. Deliver your allocution aloud dozens of times—ideally 100. Rehearsal builds confidence for the pressure of a federal courtroom. Reading your written narrative aloud to friends or mentors can help you refine tone and authenticity.

Finally, remember that allocution is only one step in a longer mitigation strategy. After sentencing, you will continue working to influence opportunities for early release, home confinement, supervised release, and clemency. Allocution complements this broader journey by demonstrating to the court that you take your obligations seriously and are committed to living differently.

Key Takeaways

- » Allocution is your final chance to address the judge directly at sentencing.
- » Keep it short (3—5 minutes), sincere, and focused on remorse, responsibility, lessons, and change.
- » Avoid re-arguing the case, shifting blame, or making excuses.
- » Practice repeatedly to ensure confidence and authenticity.
- » Allocution strengthens not just sentencing outcomes but your long-term mitigation strategy.

Self-Directed Exercise

1. Write a one-page outline of your allocution with bullet points covering remorse, responsibility, lessons learned, and commitment to change.
2. Practice delivering it aloud 20 times; record yourself at least once to review tone and clarity.
3. Reduce your notes to a few key points, so you can maintain eye contact when addressing the judge.
4. Ask someone you trust to listen and give feedback on sincerity and impact.

Assessment Questions

1. Multiple choice: How long should an effective allocution typically last?
   - ◊ a) 10—15 minutes
   - ◊ b) 3—5 minutes
   - ◊ c) 30—60 seconds
   - ◊ d) As long as your written narrative
2. True/False: Allocution is the time to re-argue the facts of your case and challenge the prosecutor.

3. Short answer: List the four key themes every allocution should include.
4. Multiple choice: Which of the following demonstrates sincerity in allocution?
    - ◊ a) Reading your entire 4,000-word narrative aloud.
    - ◊ b) Speaking naturally, admitting nervousness, and addressing remorse and responsibility.
    - ◊ c) Minimizing your role in the offense.
    - ◊ d) Avoiding allocution altogether.
5. Short answer: Why is practicing your allocution repeatedly before sentencing important?

Sample Narrative (Full document from video lesson prompt)

September 5, 2025

The Honorable Jack Tanner

United States District Court

Western District of Washington

Federal Courthouse

Tacoma, WA Zip Code

Regarding:

- » United States of America v. Michael Santos
- » Sentencing Statement

Dear Honorable Judge Tanner,

I write this letter with deep humility and sincerity. My purpose is to acknowledge the bad decisions I made, to accept full responsibility for them, and to provide you with an honest account of who I am today. This sentencing narrative is not an attempt to excuse or rationalize my conduct.

Instead, it is my effort to speak directly to the Court and to show that I understand the seriousness of my crime, the damage I caused, and the responsibility I must bear.

I recognize that when a person stands before the Court, the prosecutor will present a version of the story that highlights failures and wrongdoing. That is their role, and in my case, they will not be exaggerating when they describe the seriousness of my crime. I violated the law by choosing to traffic cocaine, and in doing so, I harmed not only those who became involved with me but every member of society. In the United States, each of us has an obligation to live within the law, and when I broke that obligation, I failed as a citizen. I did not have a substance abuse problem. My problem was a flaw in character, arrogance, and reckless thinking. I take full responsibility for that.

It has taken me time—and painful reflection—to come to terms with the truth of my actions. Early on, I convinced myself that if I did not personally carry drugs, I was somehow less responsible. That was not only wrong, it was dishonest. I was the one who organized and directed the conduct. I corrupted others by involving them in my scheme. I turned away from opportunities to live responsibly, and instead, I pursued a path that ended with me in custody. I cannot undo those choices, but I can be truthful about them.

While in custody, particularly during my time in solitary confinement, I have had to confront the consequences of my conduct. I have reflected on the shame I caused my family, the harm I brought upon my community, and the reality that my actions created victims far beyond the people I directly dealt with. Reading philosophy and history—works like Plato's *Republic* and Thoreau's *Social Contract*—opened my eyes to what it means to be a citizen with duties to others, not just to myself. Those writings helped me see clearly that I had lived selfishly and irresponsibly, and that my decisions betrayed the trust that society places in each of us.

I cannot change the past, but I can change how I respond to it. This letter is one way I begin to do so—by showing honesty, by expressing remorse, and by making a commitment to live differently moving forward. I want the Court to know that I am not hiding from what I did. I am facing it directly, with full awareness that the sentence I receive will reflect the seriousness of my crime. My only hope is that by being candid and accountable, I

can demonstrate that I am serious about reforming my life and becoming someone who contributes rather than harms.

Thank you for allowing me the opportunity to address the Court in this way. In the following pages, I will provide more detail about my life. I will share the background that shaped me, the influences that led me into criminal conduct, the lessons I have learned since, and the steps I am taking to reconcile with society.

Background

I was born in Anaheim, California, on January 15, 1964. My parents, Julio and Geri Santos, did not have college educations, but they worked hard to provide for our family. My father was an immigrant who trained as a journeyman electrician; he escaped from Cuba, hoping to build a better life for our family.

Over time, through discipline and persistence, my parents built a small electrical contracting company in Seattle. My mother supported him by managing the books and caring for my two sisters, Julie and Christina, and me. Together, our parents gave us a stable home and the security of a middle-class upbringing.

When I was about five years old, we moved to North Seattle. That is where my earliest clear memories begin. My father worked long hours and often brought me along to jobs on weekends. He believed strongly that learning a trade and working hard mattered more than formal education. He used to tell me, “Unless you’re going to be a doctor or a lawyer, you don’t need college. You need to know how to work.” He lived by that code, and our family never went without. We had a good home, vacations, and the appearance of comfort.

Although my parents were hardworking and disciplined, I grew up with a sense of entitlement. Unlike my father, who knew the value of each paycheck, I took our comfortable lifestyle for granted. Looking back, I can see how that mindset set me on the wrong path. Instead of embracing discipline, I resisted it. Instead of appreciating education, I coasted through school without effort and only earned mediocre grades.

I attended St. John's Catholic School in the Greenwood neighborhood of Seattle until our move, and then Lake Forest Park Elementary, Kellogg Junior High, and Shorecrest High School. I graduated in 1982, but my academic performance was mediocre at best. I never applied myself, and I often treated school as an obligation rather than an opportunity. My grades reflected my lack of effort, and I left high school without any sense of direction.

My father hoped I would follow him into the trades. He invited me to work alongside him, but I resisted. He thrived on discipline and sacrifice, while I craved shortcuts and immediate gratification. My earliest jobs were in his business, where I was expected to learn by doing. Rather than seeing those experiences as a foundation, I dismissed them as drudgery.

One vivid memory stands out. On a Saturday morning, when most of my friends were sleeping in or planning to meet at the beach, my father woke me before dawn to go with him to a construction site. I still remember the smell of sawdust and the chill of the Seattle air as he handed me a tool belt and expected me to work alongside grown men. I was resentful, tired, and embarrassed that while my friends were free, I was hauling wire and sweeping floors. At the time, I saw it as unfair. Only much later did I understand what he was trying to teach me—that dignity comes from work, and that discipline is the foundation of a meaningful life. I squandered those lessons.

Instead of developing a strong work ethic, I gravitated toward peers who valued leisure and image over substance. By the time I reached high school, I had formed the habit of looking for ways around responsibility. I managed to graduate, but with no plan for higher education and no serious thought about a career.

My parents provided structure, but they did not push me academically. They had built a good life without college, and I absorbed their skepticism about the value of formal schooling. Combined with my immaturity, that skepticism became a justification for neglecting education altogether. My attitude was that hard work was optional, that opportunities would somehow present themselves. That was a dangerous illusion.

Socially, I thrived. I enjoyed going out, drinking, and being part of the scene. I began drinking in high school, believing it made me more confident and charismatic. Alcohol lowered my inhibitions, and I convinced myself

that it made me the life of the party. In reality, it clouded my judgment, influenced the friends I chose, and led me to make reckless decisions. Sometimes, I drank so much that I blacked out. I ignored the warnings of family members who told me I was drinking too much. I brushed it off, insisting I was fine. Only later, in custody, did I recognize how much alcohol shaped my behavior and my poor choices.

After high school, my immaturity deepened. Without the structure of school, I drifted. I worked occasionally in my father's business but without commitment. Instead of seeking to build skills, I looked for shortcuts. My friends and I spent more time talking about fast cars and nightclubs than about education or careers. I married briefly, to a woman named Gail, during the period when I was involved in cocaine trafficking. That marriage was built on illusion—the illusion of money, status, and a fast lifestyle. It could not withstand the reality of my conduct. The marriage dissolved soon after my arrest.

By every measure, I was unprepared for adult life. I had the benefits of a good family and a secure home, but I lacked discipline, accountability, and purpose. Those deficits became the cracks through which bad influences entered.

Looking back, I can see that I had many opportunities to choose a better path. I could have pursued college, committed to learning a trade, or built on the foundation my father worked so hard to provide. Instead, I rejected those opportunities and cultivated habits of irresponsibility. I learned how to avoid hard work rather than how to embrace it.

The truth is that my criminal conduct did not begin the day I trafficked cocaine. It began years earlier, when I allowed myself to believe that rules did not apply to me, that I could take shortcuts and avoid consequences. My background shows that I was not deprived or without support. I had every chance to make better choices, but I squandered them.

Today, I recognize how selfish and shortsighted I was. I am not proud of my academic record, my early jobs, or the way I dismissed responsibility. I am especially ashamed of the way I let down my parents. They modeled discipline and hard work, yet I treated their sacrifices as something I could waste.

By giving this background, I do not mean to shift blame. On the contrary, I want the Court to see that my failure was not due to circumstances beyond my control. It was due to my own immaturity, arrogance, and unwillingness to accept responsibility. That is what led me to crime.

This background also shows that I had the foundation to do better. My parents' example, my stable upbringing, and the opportunities I had all prove that I could have lived differently. The fact that I chose to engage in this behavior, trying to avoid problems with the law by hiring other people, makes my conduct more serious, not less. I betrayed not only society but also the values my family tried to instill in me.

As I prepare for sentencing, I carry with me the weight of that realization. My hope is that by being truthful about my background, I can show the Court that I now understand where I went wrong. The discipline I once rejected is now what I seek. The lessons I ignored are now the ones I value most. My responsibility is to make amends by living with accountability and integrity from this point forward.

Influences that Led to Conviction

As I reflect on my background, it is clear to me that the cracks in my character—entitlement, immaturity, and lack of discipline—created the conditions that led me into crime. I was not a man without opportunities. In fact, in retrospect, while spending so much time in solitary confinement, I acknowledge that I was a young man who squandered opportunities. Those choices, repeated over time, hardened into a mindset that made my descent into cocaine trafficking possible.

The influences that led me to crime were not sudden or mysterious. They were a continuation of the shortcuts I had already been taking in life. When I graduated from high school without a plan, I carried with me the same attitude that rules did not apply to me. Instead of working toward a meaningful career, I gravitated toward people who validated reckless behavior. Alcohol, parties, and the pursuit of image became my priorities. I measured success not by effort or contribution but by appearances—cars, clothes, and popularity.

It was during this time that I saw the movie *Scarface*. I remember sitting in the theater, struck by the excess and bravado of the main character. His accent reminded me of my father's, and rather than seeing the movie as a warning, I foolishly saw it as inspiration. That distorted view planted the seed of curiosity. If people in Miami could live that way, I wondered, why couldn't I?

That curiosity quickly became action. I began making inquiries, asking acquaintances about the price of cocaine in Miami and the demand for it in Seattle. When I learned that I could purchase a kilogram of cocaine in Miami for $20,000, and sell that same kilogram in Seattle for more than double, I convinced myself that I had discovered an "opportunity." Instead of asking whether it was legal, moral, or sustainable, I asked only how I could profit and how I could lessen the likelihood of getting caught.

That shows how warped my thinking was at the time.

The scene that best captures my descent into this lifestyle happened on a night when I convinced two friends—people I had known from high school—to fly to Miami. I promised them a free trip, hotel accommodations, and a quick payday if they would simply drive a car back to Seattle. I had arranged for others to load the car with cocaine. I still remember sitting in a Seattle bar before they left, assuring them it would be "easy money." I was only twenty years old, arrogant, and reckless enough to believe my own pitch. What I did that night was not only criminal but also deeply irresponsible. I corrupted people I cared about, leading them into crime alongside me. That betrayal of trust is one of the many reasons I now look back with regret and shame.

My thinking at the time was guided by selfishness and denial. I convinced myself that because I did not ever handle the cocaine, I wasn't really breaking the law. I rationalized that everyone involved was an adult making a choice. I told myself that drug trafficking was a victimless crime. All of these thoughts were lies I told myself to avoid facing the truth: that I was orchestrating illegal conduct, profiting from it, and putting others at risk.

Over time, this pattern of denial only deepened. As the profits grew, I became more confident, more reckless, and more blind to the consequences. I began to see myself as a leader, but instead of leading with integrity, I led people into harm. I ignored every safeguard that should have stopped me—family values, community standards, and my own moral conscience.

Looking back, I can identify clear safeguards that I should have implemented, but failed to:

- Seeking mentorship: I should have found a mentor—someone with wisdom and integrity—to guide me toward responsible choices.
- Commitment to education: I should have pursued higher education or training, giving me purpose and direction instead of drifting.
- Building accountability: I should have surrounded myself with people who held me to higher standards rather than peers who encouraged recklessness.
- Learning patience: I should have accepted that building a meaningful life takes time and effort, rather than chasing shortcuts.

My failure to put these safeguards in place left me vulnerable to temptation and arrogance. Instead of striving for a life of dignity, I chose crime. And instead of leading people toward opportunity, I dragged them into risk.

These were not mistakes of ignorance. They were the results of selfishness, immaturity, and poor character. I alone bear the responsibility for choosing that path.

Lessons Learned

When I was first arrested, I did not immediately grasp the depth of the damage I had caused. At twenty years old, I still carried the arrogance and immaturity that had guided me into crime. My first real turning point came in solitary confinement. I spent nearly a year in a cell, cut off from the distractions I had once chased. That time forced me into introspection. I could not run from my thoughts, and I could not deny my responsibility.

It was in that isolation that an officer brought me a book that changed my life: *The Republic* by Plato. I had not been a good student in high school, and I had never taken reading seriously. But in that cell, with nothing else to distract me, I opened the book. In Plato's dialogues, I encountered the idea that a just society depends on individuals who live responsibly, guided by reason and moral duty. For the first time, I began to see that my life had been built on the opposite principles—selfishness, shortcuts, and reckless disregard for the rules that make communities strong. That realization cut

deep. I could no longer pretend that my crime was victimless or without consequence.

Not long after, the same officer brought me another book: *Émile* by Jean-Jacques Rousseau. In that work, Rousseau explained the idea of a social contract—that every citizen has a duty to live in accordance with the laws of society. Until then, I had lived as though laws were obstacles to avoid, rather than commitments that bound us together. Reading Rousseau, I began to understand that my behavior had broken more than statutes. It had broken trust with my community, my family, and my country. I had failed in my basic obligations as a citizen. That awareness was sobering.

The third book that transformed me was the autobiography of Frederick Douglass. His story taught me about personal responsibility, resilience, and the power of knowledge. Douglass described how he overcame slavery and injustice not by blaming others, but by taking control of his own growth through learning. If a man born into bondage could develop the strength to rise through education and responsibility, what excuse did I have? I had grown up with opportunities, in a stable home, and yet I had squandered them by choosing crime. Reading Douglass forced me to see the truth: my failures were not caused by circumstance. They were the result of my own character flaws.

Through those books, I began to learn lessons that I wish I had known before I broke the law:

- I learned that compliance with the law is essential, not optional. My earlier belief that I could measure success by "not getting caught" was false and destructive. Plato showed me that justice requires more than avoiding detection; it requires living responsibly in every action.
- I learned that ethics requires awareness of impact, not just intent. Rousseau showed me that by ignoring my obligations to society, I had not only broken the law but also harmed the trust that binds citizens together.
- I learned that accountability is personal and non-transferable. Frederick Douglass showed me that no matter what challenges or influences exist, each person must own his decisions. I could not blame peers, culture, or youth. The choices were mine, and so were the consequences.

These lessons did not come all at once. They unfolded slowly, during long hours in that cell. Solitary confinement gave me the silence to think, and those books gave me the tools to change how I thought. For the first time, I began to ask different questions: What does it mean to live as a responsible citizen? What does it mean to contribute rather than take? How can I make amends for what I have done?

I regret deeply that I did not learn these lessons earlier. If I had respected the wisdom of philosophy, history, and personal accountability before my crime, I would not be standing before this Court today. But I am grateful that, even late, I was given the opportunity to change. Those books became my teachers. They exposed the emptiness of the values I once lived by and pointed me toward the principles I now strive to follow—lawfulness, ethics, and responsibility.

I cannot change the past, but I can embrace the lessons it has given me. What I learned in solitary confinement is not theory to me; it is a daily commitment. Every decision I make moving forward must reflect the understanding that I now carry: respect the law, consider the ethical impact of my choices, and accept full accountability for my actions.

Making Things Right

The lessons I learned in solitary confinement gave me clarity about the kind of man I did not want to be. But understanding alone is not enough. If my crime showed anything, it is that words without action are meaningless. Since that turning point, I have tried to live in a way that reflects accountability and growth. My commitment is to continue working toward personal development for the rest of my journey, both inside prison and after release.

The first step I took toward reconciliation was to embrace education. Reading opened my eyes, and I resolved never to stop learning. While in custody, I read dozens of books—on philosophy, history, leadership, and personal accountability. I read the Bible, from the book of Genesis, to the book of Revelation. I did not read simply to pass the time, but to change the way I think. Education became the foundation for my reform, teaching me that knowledge must be tied to responsibility. My plan is to continue self-directed studying, writing, and documenting my progress as I move forward.

Another step has been to practice sobriety. Before my arrest, alcohol shaped my choices in destructive ways. In custody, I have lived in forced sobriety, but I view this as more than circumstance—I see it as a gift. I have used this time to reflect on how alcohol clouded my judgment, and I have committed myself to a sober path. Going forward, I will pursue every available program, including treatment opportunities, to strengthen that commitment and hold myself accountable.

I have also begun to reconcile by reflecting on service. My crime harmed not just those directly involved but society at large. I cannot undo that harm, but I can work to contribute positively in the future. My plan is to use what I have learned to help others. Whether through mentoring younger people in prison, sharing lessons about accountability, or writing about the dangers of shortcuts, I want my time to count for something more than punishment. Reconciliation means using my experience to prevent others from repeating my mistakes.

I recognize that restitution is also part of reconciliation. At the time of sentencing, I did not have a plan for financial accountability. But as I look ahead, I know that every effort I make must include working toward repairing the financial and social harm I caused. That will require steady employment, disciplined living, and a willingness to prioritize restitution over personal comfort. I am committed to building a plan for lawful income and repayment once I return to society.

My forward-looking plan rests on three pillars:

1. Education and Personal Growth — I will continue studying, reading, and writing. My goal is to document my journey, not for self-promotion but as a way to hold myself accountable and to demonstrate consistent effort toward change.

2. Sobriety and Discipline — I will remain committed to sobriety, participate in treatment programs, and live by the discipline I once resisted.

3. Service and Restitution — I will look for every opportunity to serve others and to meet my obligations, both moral and financial, to those harmed by my crime.

These steps are not short-term promises. They represent the course I intend to follow for the rest of my life. I know that I cannot undo my

past. But through reconciliation, I hope to build a future defined not by the damage I caused, but by the effort I make to repair it.

I share these commitments with the Court not as empty words, but as a pledge. Just as solitary confinement forced me to see the flaws in my character, this journey forces me to prove that I can change through action. I accept that this is a lifelong responsibility. Reconciliation is not a single step, but a path I will continue to walk every day.

Conclusion

The steps I have described are not temporary measures but the foundation of how I intend to live from this point forward. Reconciliation is a lifelong process, and I accept that responsibility fully. My journey is one of ongoing personal development, guided by the lessons I learned in solitude and strengthened by my commitment to education, sobriety, and service.

I know that my actions have left a permanent mark. I cannot undo the harm I caused to society, to my family, and to those I drew into my crime. What I can do is demonstrate, day by day, that I have changed and that I am worthy of the chance to contribute positively in the future.

I am remorseful for the arrogance and selfishness that once defined me. I am grateful for the opportunity—even in confinement—to have grown into a man who values accountability, ethics, and responsibility. I am committed to continuing that growth throughout my sentence and beyond.

As I stand before the Court, I do not ask to escape punishment. I accept that the law requires consequences for my conduct. What I ask is that, in weighing your judgment, you consider the sincerity of my remorse, the transformation I have worked hard to begin, and my pledge to keep building a life of dignity, service, and lawful contribution.

Thank you for considering my words, and for giving me the opportunity to present my commitment to living differently. If you sense that I am a candidate for rehabilitation, I ask that you have mercy on me at sentencing.

Respectfully Submitted,

Michael Santos