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EDITORS' NOTES

The first part of 2013 has been an extraordinary time at the U.S. Sentencing Commission; the adjectives one might use to describe this period in the Commission's history could range from chaotic to dynamic to prolific.

The year 2013 started with chaos thanks to a so-called hacktivist group: in January, Anonymous claimed responsibility for taking over the U.S. Sentencing Commission's website. This shady group of on-line activists claimed its actions were in protest of the prosecution of Aaron Swartz, a technology wunderkind who committed suicide while facing federal charges for illegal on-line activities. After the Commission sought to restore its website immediately, it was compromised a second time; the Commission thereafter took nearly a month to get its website up and running properly again.

Even without the chaos created by Anonymous, the year 2013 was sure to be dynamic for the U.S.S.C. because the terms of Commissioners Beryl Howell and William Carr expired at the end of 2012. Combined with a unfilled Commissioner position that has lingered since 2010, the Commission began this year with only four Commissioners. Fortunately, in mid-April 2013, President Obama sent to Congress a slate of three accomplished and diverse nominees to return the Commission to full strength: NYU Professor Rachel Barkow, U.S. District Judge Charles Breyer, and U.S. Circuit Judge William Pryor. Though the Senate's confirmation process is never predictable, there is a reasonable basis to expect these Commission nominees to be confirmed before too long.

Last but certainly not least, the U.S. Sentencing Commission has been prolific at the start of 2013 through the release of two major and long-anticipated reports to Congress. These two reports—one concerning the post-*Booker* federal sentencing system in general, the other concerning the operation and application of the child pornography guidelines—provide the focus for this issue of FSR. The primary goal of this FSR issue is to facilitate a better understanding of the nature and limitations of the data assembled and reported by the U.S.S.C. in these two latest reports so that all participants and observers of the federal sentencing system can better appreciate and assess what these reports tell us—and fail to tell us—about modern federal sentencing policies and practices.



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