

The following outlines some guidance in considering how to explain your personal “extraordinary and compelling circumstances” that may warrant a reduced sentence. This outline *is not comprehensive* and there may be other considerations/factors unique to your circumstance that you would like to include in your motion. This is intended as a starting point to help you consider how you might tell the court about your specific and unique situation. As a reminder, FAMM does not represent you in court, and there is no attorney-client relationship. We cannot advise you on how to fill this out, and what may or may not be appropriate in your specific case, but have found the questions below to be useful in contemplating the factors that courts may consider in reviewing compassionate release motions.

[PLEASE NOTE: if you were sentenced in the Eleventh Circuit – Alabama, Florida, Georgia – your sentencing court is only able to consider requests for compassionate release based on the factors set out [here](#). That means the court cannot grant compassionate release based solely on home confinement status or other factors.]

1. CARES Act home confinement recipients

- a. The BOP determined that it was safe and necessary to transfer you to home confinement.
  - i. Describe any analysis or information (non-violent crime, first time offense, clean disciplinary record, etc.) that was used, or you believe was used, in determining your eligibility for home confinement. You can include attachments to your motion, such as your disciplinary record, record of classes taken while incarcerated, and positions held. Just remember to list them in Section IV of the Pro-Se Motion. And do refer to them in your explanation (for example, you could say, *see* attachment A (Progress Report)).]
- b. Rehabilitation and community engagement since being home
  - i. How long have you been home?

- ii. During this time, have you participated in any educational program, jobs, treatment programs, or family/community engagement efforts? If so, describe those activities. Again, you can attach documentation, such as a letter from your employer or certificate from an educational institution
    - iii. Describe the ways in which you contribute to your religious community, your family, etc. You can attach a letter from a faith leader, photo of you with your family, etc.
  - c. Compliance with the rules of home confinement
    - i. Describe the rules of home confinement that you are to follow and explain how you have complied with those rules. Note that it is likely wise to not complain about the rules, but rather explain what they require of you and how hard you work to follow them.
  - d. Describe the stress of home confinement and the uncertainty of not knowing if, or when, you would be returned to prison, and how this uncertainty impacts your life.
  - e. Tell the court if you have had to choose not to pursue an opportunity—for example, take out a home loan, start a family, or begin school—because you do not know if you will be returned to a custodial facility.

## 2. Medical conditions

- a. List and describe *any and all* serious medical conditions (these are medical conditions that impact your daily life, that you are unlikely to recover from). If you have been diagnosed with a terminal illness, it would be helpful to state that it is terminal and provide any information about the diagnosis.

- i. For certain illnesses, the risk of COVID could make an individual at risk of suffering from severe COVID. A list of these diseases can be found at, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

3. Family circumstances

- a. Describe any special family circumstances that may warrant compassionate release, such as being the sole caregiver for minor children, or for an incapacitated partner/spouse who you need to care for.