

December 7, 2017

General Mark Inch, Director
Bureau of Prisons
320 First Street, NW
Washington, DC 20534

RE: Federal Bureau of Prisons and Compassionate Release

Dear General Inch:

We are writing to urge you to expand the Bureau of Prisons' (BOP) use of compassionate release. Granting early release to elderly and sick federal prisoners who meet the criteria set forth by the U.S. Sentencing Commission would save the BOP money, protect public safety, and help families in often difficult circumstances.

Support for expanding compassionate release has been growing for several years and exists across the political spectrum, as is evident from the diverse signers of this letter. We disagree on many matters, but we strongly agree that all human beings, including those convicted of and imprisoned for crimes, have inherent dignity and value. We all recognize that a prisoner's family and other loved ones also serve the sentence and suffer emotional, financial, and relational hardship. These families deserve compassion and care. Finally, we understand that circumstances sometimes change after a person is sentenced to prison. An unforeseen illness or change in one's family situation should prompt reconsideration of whether a person's original prison sentence is still necessary to achieve the purposes of punishment, especially when the individual poses little to no threat to public safety.

In the past few years alone, the Justice Department's Inspector General, the U.S. Sentencing Commission, and bipartisan leaders in Congress all have raised concerns about the BOP's failure to grant compassionate releases and urged the Bureau to do better. In July, the U.S. Senate Appropriations Committee included language in the report accompanying its fiscal year (FY) 2018 Commerce and Justice, Science and Related Agencies appropriations bill directing the BOP to inform the committee of what it is doing to increase its use of compassionate release and to provide data on how many compassionate release requests have been granted and denied in the last five years, the reasons for those decisions, how long it took to process the request, and how many people died while waiting for an answer. Shortly thereafter, 12 U.S. senators wrote a letter to the BOP requesting an update on its efforts to expand its use of the compassionate release program. These requests follow the U.S. Sentencing Commission's unanimous 2016 vote to broaden and strengthen the criteria for federal compassionate release.

We urge you to act now. The BOP should take steps immediately to ensure that all prisoners and their families are aware of the compassionate release program and its eligibility requirements. The Bureau should give clear guidance for submitting requests and commit to a meaningful and timely review of and response to requests. In addition, the BOP should make sure that all relevant staff, including medical care providers, case managers, and unit teams, are aware of the eligibility criteria.

Granting compassionate release to all eligible federal prisoners will save BOP money without jeopardizing public safety. It also will help families across the country who simply want the opportunity to comfort and care for their dying, elderly, or ill loved ones.

Thank you for considering our views on this important matter, and please do not hesitate to contact any of us if we can be of any assistance.

Sincerely,

African Methodist Episcopal Church - Social Action Commission
American Civil Liberties Union
American Conservative Union Foundation
Association of Prosecuting Attorneys
Bina Pelz, Fellow, Solomon Center for Health Law and Policy at Yale Law School
Britany K. Barnett, Attorney and Criminal Justice Reform Advocate
Brett Tolman, former US Attorney
Center on Administration of Criminal Law, NYU School of Law
Church of Scientology
Criminal Justice Policy Foundation
Deborah DiMasi
Families Against Mandatory Minimums
Federal Public and Community Defenders
FreedomWorks
Friends Committee on National Legislation, A Quaker Lobby in the Public Interest
Interfaith Action for Human Rights
Jessica Jackson Sloan, National Director of #cut50
John Reinstein, former Legal Director, ACLU of Massachusetts
Judge Nancy Gertner (Ret.), Senior Lecturer in Law, Harvard Law School
Justice Strategies
Law Enforcement Action Partnership
National Association of Criminal Defense Lawyers
National Center on Institutions and Alternatives
National Council of Churches
Prisoners Legal Services
R Street Institute
Salvatore DiMasi
StoptheDrugWar.org
The Episcopal Church
The Mercy Project of Massachusetts
The Sentencing Project
T'ruah: The Rabbinic Call for Human Rights