



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

JAN 16 2018

The Honorable Brian Schatz
United States Senate
Washington, DC 20510

Dear Senator Schatz:

This responds to your letter to the Attorney General dated August 3, 2017, regarding the Federal Bureau of Prisons' (BOP) use of compassionate release/reduction in sentence (RIS) policies. We are sending identical responses to the other Senators who joined in your letter.

BOP has provided the following information in response to your requests for specific data and information on compassionate release:

Since January 2014, wardens have received the following RIS requests:

Medical-Terminal	817
Medical-Debilitated	1106
Elderly-Medical	477
Elderly-Other	268
Child Caregiver	282
Spouse/Registered Partner	109
Miscellaneous	123

During this time frame, BOP wardens have recommended the following RIS requests to the Central Office:

Medical-Terminal	405
Medical-Debilitated	181
Elderly-Medical	117
Elderly-Other	87
Child Caregiver	33
Spouse/Registered Partner	15
Miscellaneous	4

BOP's Director has approved 306 RIS requests and denied 2,405 RIS requests since 2014. BOP's average processing time for approvals is approximately 141 days for approvals and

196 days for denials. Since 2014, 81 inmates have died while their requests were under consideration in the BOP Central Office.

RIS requests are most commonly denied because:

- the inmate did not meet the terminal or debilitated medical condition criteria;
- the inmate's medical condition did not impact his/her ability to function in a correctional setting;
- the inmate had not served a sufficient amount of time toward his/her sentence as required by the elderly-medical and elderly-other criteria;
- the inmate was unable to demonstrate he/she was the sole family member capable of providing care to his/her child, spouse, or registered partner; or
- the inmate lacked stable residence and release plans.

BOP educates the inmate population on RIS policy and criteria by making information available about RIS through electronic law libraries, electronic bulletin boards, and the Admission and Orientation handbook that is provided to all inmates shortly after their arrival to an institution. In addition, BOP provides regular staff training on RIS to ensure that the policy is being properly applied and that staff understand how to assist inmates with their requests.

Finally, in response to your question regarding the U.S. Sentencing Guidelines, BOP reviewed the U.S. Sentencing Commission's amendments to the Guidelines and is to consider amendments to its RIS policy. At this time, BOP continues to review RIS requests based on the criteria set forth in BOP Program Statement No. 5050.49, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g).

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Stephen E. Boyd
Assistant Attorney General