

CAMPAIGN FOR COMPASSIONATE RELEASE

STATEMENT OF PRINCIPLES

We, the undersigned individuals and organizations, believe and affirm that

All human beings, including those convicted of and imprisoned for crimes, have inherent dignity and value.

A prisoner's family and other loved ones also serve the sentence and suffer emotional, financial, and relational hardship. They deserve compassion and care.

Circumstances sometimes change after a person is sentenced to prison. An unforeseen illness, onset of a disability, 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.

Like all human beings, prisoners should have appropriate medical treatment when they are seriously ill or have disabilities. The families of prisoners should be able to personally comfort and care for their incarcerated loved ones who are seriously ill.

Whenever public safety permits it, elderly prisoners and those with physical or mental disabilities that limit their ability to provide self-care in prison should be released to the care of their families or other loved ones. These prisoners are expensive to incarcerate, often pose a low risk to public safety, and have special health care needs that challenge prison management.

States and the federal government lack or under-utilize compassionate release mechanisms that permit prisoners facing old age, physical or mental disabilities, or terminal illness, as well as those facing excessive family hardship or other extraordinary and compelling circumstances, to be considered for and granted early release from prison on those grounds.

Even where compassionate release mechanisms exist, prisoners and their families rarely know that they are available, and these processes can be unduly lengthy, burdensome, and block access to meaningful court review.

Therefore, we support and urge:

The adoption and regular use by state and federal governments of compassionate release mechanisms that provide prisoners and their families with (1) notice of the availability of compassionate release, (2) clear guidance for submitting requests, (3) a meaningful and timely review of and response to requests, and (4) access to court review for relief when administrative avenues have been exhausted.

In addition, we support and recommend the timely and regular granting of compassionate release, whenever public safety permits, in cases where prisoners are:

- diagnosed with a terminal illness or living with physical and/or cognitive disabilities that are not likely to improve and that limit the prisoner's ability to provide self-care while confined;
- elderly and experiencing physical or mental health disabilities due to the aging process;
- facing extreme family hardship (e.g., the terminal illness or untimely death of the sole caretaker of children, loss of parental rights, or placement of children in foster care); or
- facing other extraordinary and compelling circumstances.

Organizations

African Methodist Episcopal Church - Social Action Commission

Aleph Institute

American Civil Liberties Union

American Conservative Union Foundation

Center on Administration of Criminal Law, NYU School of Law

Church of Scientology

Criminal Justice Policy Foundation

Families Against Mandatory Minimums

Federal Public and Community Defenders

FreedomWorks

Friends Committee on National Legislation, A Quaker Lobby in the Public Interest

Human Rights Watch

Interfaith Action for Human Rights

Justice Strategies

Law Enforcement Action Partnership

National Association of Criminal Defense Lawyers

National Center on Institutions and Alternatives

National Council of Churches

National Disability Rights Network

R Street Institute

Right on Crime

StoptheDrugWar.org

The Episcopal Church

The Mercy Project of Massachusetts

The Sentencing Project

T'ruah: The Rabbinic Call for Human Rights

Individuals

Brittany K. Barnett, Attorney and Criminal Justice Reform Advocate

Deborah DiMasi

Salvatore Di Masi

Judge Nancy Gertner (Ret.), Senior Lecturer in Law, Harvard Law School

Courtney M. Oliva, Executive Director,

Center on the Administration of Criminal Law at NYU School of Law

Bina Pelz, Fellow, Solomon Center for Health Law and Policy at Yale Law School

John Reinstein, Former Legal Director, ACLU of Massachusetts

Jessica Jackson Sloan, National Director of #cut50

Brett Tolman, Former US Attorney

Brie Williams, MD, MS, Professor of Medicine at UCSF, Division of Geriatrics*

*Title for identification purposes only; does not imply a position of the University