

Date: Monday, March 21, 2016

From: RAPP MD chapter (Release Aging People in Prison)

U.S. Sentencing Commission

Re: Compassionate Release S1B1.13 (Reduction in term of Imprisonment as a Result of motion by Director of Bureau of Prisons)

RAPP MD has under taken the position as it concerns "Compassionate Release". The age eligibility of prisoner's should start at 50 years and the term of imprisonment of a defendant in certain circumstances, i.e., if "extraordinary and compelling reasons" warrant such a reduction should be released back into their respective communities under the supervision of a re-entry program established by the courts and The Bureau of Prisons.

Some of those "extraordinary and compelling reasons" are:

1. The defendant is suffering from a terminal illness;
2. The defendant is suffering from certain permanent physical or medical conditions, or experiencing physical or mental health because of the aging process;
3. The defendant has a minor child and the defendants' only family member capable of caring for the child has died or is incapacitated.
4. Revising the time-served provision for the those inmates 65 and older without medical conditions to remove the requirement that they serve 10 years, and require only that they serve 50 percent of their sentences.

Some good reasons for eligibility for defendants 50 years and older are:

1. Aging prisoners make up a disproportionate share of the inmate population, are more costly to incarcerate because of medical problems;
- 2 They engage in less misconduct while in prison;
3. They have a lower rate of re-arrest once released than their younger counterparts;
4. The history of the criminal justice system and its racism expressed in unequal sentencing (longer terms for Blacks than Whites) justifies some form (s) of relief because the impact of Racist sentencing procedures have literally devastated the African-American (family) community.

Sincerely

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"If the risk is low, Let them go."