

The Sentencing Project

Criminal Justice Issues and Prisoners' Rights

<https://www.sentencingproject.org/publications/open-letter-to-president-barack-obama-on-clemency/>

Public Facing Advocacy Writing

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June 21, 2016

The Honorable Barack Obama
The White House
1600 Pennsylvania Ave NW
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Dear Mr. President:

We have applauded your administrations work to reform the criminal justice system, particularly your efforts to grant clemency to people in federal prisons serving unjust and unduly long sentences. Your clemency initiative has given hope to thousands of incarcerated individuals who had lost faith that anyone in authority understood or cared about their plight. We believe your leadership will bring lasting change to the country and set the table for further reforms in future administrations.

However, we are concerned that as your days in office diminish, the clemency initiative is moving too slowly to meet the goals you set when you announced it in 2014. As the *Washington Post*, *NPR*, and other media outlets have reported, the initiative has been plagued by bureaucratic inefficiencies that have kept petitions that meet all of your stated criteria from reaching your desk. The Pardon Attorney originally hired by the Justice Department to oversee the process has resigned in protest, complaining that her office was given too few resources to process the thousands of applications it received. Attorneys involved in submitting petitions have said it is unclear that all of those received by the administration will be given even cursory review before you leave office, let alone a full vetting and a recommendation for action.

As of this week, nearly 12,000 commutation petitions are pending before the Justice Department. While the 348 commutations you have already granted are a worthy step in the right direction, by our estimates more than 1,500 people in prison are eligible for commutation under the criteria you established. The Justice Department seems to agree, telling the *Post* that somewhere short of 2,000 of the pending petitions appear to be eligible for relief.

At the pace the administration has currently set, it will fall far short of granting that number of commutations before you leave office. Many of these individuals have already served decades behind bars for non-violent drug offenses. Their families have been torn apart and their chances for happy, successful lives curtailed. Nothing can undo the injustice of their original sentences, but failing to grant the commutations for which they are eligible will add a second injustice. These individuals know they meet the criteria you laid out, and they justifiably believed they would obtain relief. If they are denied clemency because the process does not work, they and their families will suffer yet again. This injustice is one only you can prevent.

We know you are committed to this effort. We have seen how much it means to you when you meet with the individuals whose sentences you have commuted. Those interactions have been inspiring not just to us, but to the thousands of petitioners who wonder whether their applications will be given the proper review they were promised. They deserve that review, and many of them have begun to lose hope that they will receive it.

There is still time to accelerate the process so your clemency initiative fulfills the goals you set. But we believe that only your personal leadership will break the bureaucratic logjam that is plaguing the program. No person in prison who meets the criteria for relief should still be behind bars when you leave office. We hope you will move quickly to ensure everyone in your administration acts with the proper diligence to make that promise a reality.

Sincerely,

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Black men born in 2001 can expect to go to prison in their lifetime

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