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**Announcing New Clemency Initiative, Deputy Attorney General  
James M. Cole Details Broad New Criteria for Applicants**

*New Pardon Attorney Named*

As part of the Justice Department's new clemency initiative, Deputy Attorney General James M. Cole announced six criteria the department will consider when reviewing and expediting clemency applications from federal inmates.

Under the new initiative, the department will prioritize clemency applications from inmates who meet all of the following factors:

- They are currently serving a federal sentence in prison and, by operation of law, likely would have received a substantially lower sentence if convicted of the same offense(s) today;
- They are non-violent, low-level offenders without significant ties to large scale criminal organizations, gangs or cartels;
- They have served at least 10 years of their prison sentence;
- They do not have a significant criminal history;
- They have demonstrated good conduct in prison; and
- They have no history of violence prior to or during their current term of imprisonment.

"For our criminal justice system to be effective, it needs to not only be fair; but it also must be perceived as being fair," said Deputy Attorney General Cole. "Older, stringent punishments that are out of line with sentences imposed under today's laws erode people's confidence in our criminal justice system, and I am confident that this initiative will go far to promote the most fundamental of American ideals – equal justice under law."

In December 2013, President Obama commuted the sentences of eight individuals who were sentenced under an outdated regime—many of whom would have already paid their debt to society if they had been sentenced under current law. Since that time, President Obama has said he wants to consider more applications for clemency from inmates who are similarly situated. The Department of Justice, which assists the president in the exercise of executive clemency by reviewing petitions for clemency for federal offenses and making recommendations, is committed to carrying out this important mission and has pledged to provide the necessary resources to fulfill this goal expeditiously.

Outside of this initiative, any inmate can apply for commutation under the standard principles for which executive clemency has been granted historically. This initiative applies to a limited category of petitioners whose clemency applications may be especially meritorious.

Deputy Attorney General Cole also announced Deborah Leff, Acting Senior Counselor for Access to Justice, as the new head of the Office of the Pardon Attorney. Ronald Rodgers, who previously held the position, will assist Leff during a transition period and will then take on another role at the department to be announced at a later date.

"Over the past several years, Ron has performed admirably in what is a very tough job. He has demonstrated dedication and integrity in his work on pardons and commutations," Cole said.

Deputy Attorney General Cole added that Acting Senior Counselor Leff's work with the department's Access to Justice program makes her uniquely qualified to step into the pardon attorney's role.

"Deborah has committed her career to the very basis of this initiative - achieving equal justice under law," said Deputy Attorney General Cole. "As Acting Senior Counselor for Access to Justice, her fundamental mission has been

to help the justice system deliver outcomes that are fair and accessible to all.”

To facilitate the thorough and rapid review of the new clemency applications this initiative will likely spur, Deputy Attorney General Cole announced that he issued a department-wide call for attorneys willing to help review new petitions. These attorneys will help assess the petitions to determine which fall within the six stringent standards and merit further consideration. Department lawyers will be temporarily assigned to the Pardon Attorney’s Office.

The Bureau of Prisons (BOP) will notify inmates in the coming days about this initiative and the availability of pro bono lawyers from the newly formed Clemency Project 2014. The Clemency Project 2014, which is made up of independent, outside groups as well as federal public defenders, was organized in response to Deputy Attorney General Cole’s Jan. 30, 2014, speech at the New York State Bar Association in which he called for assistance in identifying appropriate clemency petitions under this initiative.

In addition to notifying inmates of this initiative, BOP will provide interested inmates with an electronic survey that will help both pro bono lawyers and Justice Department lawyers to screen the petitions for the Office of the Pardon Attorney to quickly identify whether inmates meet the criteria for the program. BOP case managers will continue to provide inmates assistance with submitting the appropriate paperwork for clemency applications.

Deputy Attorney General Cole sent a letter to all of the 93 U.S. attorneys asking for their assistance in identifying meritorious candidates and notifying them that the Pardon Attorney’s Office will be soliciting their views on petitions that appear to meet the criteria after an initial screening by the lawyers in the Office of the Pardon Attorney.

The new clemency initiative is an outgrowth of Attorney General Holder’s “Smart on Crime” initiative, which is intended to strengthen the criminal justice system, promote public safety and deliver on the promise of equal justice under law.

The Deputy Attorney General’s Office oversees the Office of the Pardon Attorney. The department assists the president in the exercise of executive clemency. Under the Constitution, the president’s clemency power extends only to federal criminal offenses. All requests for executive clemency for federal offenses are directed to the pardon attorney for investigation and review. Petitions are then sent to the Deputy Attorney General for review and recommendation to the president.