



July 29, 2022

Honorable Merrick Garland, Attorney General
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U.S. Department of Justice

Dear U.S. Parole Commission, U.S. Bureau of Prisons, and U.S. Department of Justice,

We, the undersigned leaders of civil rights organizations, write to express our collective support for the immediate release of Mutulu Shakur from prison, and strongly urge you to use your authority to do so. As leaders in civil rights, and social justice, we believe in rehabilitation and transformation - tenets that could not be more appropriately understood than in the case of this 71-year old man in failing health who has been incarcerated for the past 36 years. Mr. Shakur is terminally ill with less than 6 months to live and is currently housed at the U.S. Bureau of Prison Federal Medical Center in Lexington, Kentucky.

We understand and appreciate the seriousness of the crimes for which he was convicted. Our request is in no way meant to denigrate the victims' families or ignore the loss of life. It is our belief that Mr. Shakur has served substantial time incarcerated for those acts and has shown significant rehabilitation and transformation. The continued incarceration of this terminally ill senior citizen serves no useful purpose as Mr. Shakur represents absolutely no threat to public

safety. For more than three decades, he has had no serious infractions in prison. This exemplary accomplishment, along with his consistent and ongoing mentorship of other incarcerated people, his successful participation in dozens of programs and classes while incarcerated, as well as his advanced age, all provide ample reason for you to feel confident that releasing him is the right and humane thing to do.

Prior to his incarceration, Mr. Shakur championed community health with groundbreaking healing practices to create the first acupuncture detoxification program in America. His program of harm reduction has improved (and will continue to improve) the lives of countless men and women in communities throughout the South Bronx. This acupuncture clinic rose to prominence and still functions to this day. Some of those who benefited from the program became acupuncturists themselves. Mutulu Shakur's legacy is cemented within this profound story of community healing and activism. Throughout his 36 years in prison he has also maintained a close and nurturing relationship with his children, who anxiously await his release so that they can provide for and take care of him in his final stage of life.

Mr. Shakur falls into a unique category of individuals convicted under what is referred to as “old law,” i.e., before federal parole was eliminated in 1987^[1]. Yet, the United States Attorney for the Southern District of New York claims that he is also ineligible to receive compassionate release from the courts due to the First Step Act’s exclusion of those convicted under “old law.” ^[2] This leaves Mr. Shakur’s release squarely and exclusively in your hands.

^[1] On November 1, 1987, federal parole was eliminated when the Federal Sentencing Guidelines went into effect; See Isaac Fulwood, *History of the Federal Parole System*, U.S. Parole Commission, 2 (May 2003), <https://www.justice.gov/sites/default/files/uspc/legacy/2009/10/07/history.pdf>.

^[2] Carrie Johnson, *Some Old Law Prisoners Aren’t eligible for Compassionate Release. Lawmakers Want Change*, NPR (August 6, 2021), <https://www.npr.org/2021/08/06/1024742548/some-older-prisoners-arent-eligible-for-compassionate-release-lawmakers-want-cha>; Letter from The Leadership Conference on Civil and Human Rights, et al. to Attorney General Garland, *U.S. Parole Commission; ‘Old-law’ federal prisoners*, (March, 4,2022), <https://www.sentencingproject.org/wp-content/uploads/2022/03/US-Parole-Commission-Letter-3-4-2022.pdf>.

Mr. Shakur’s release would pose absolutely no threat to public safety. This is supported by BOP’s own PATTERN risk assessment tool, which has determined Dr. Shakur is in the lowest possible risk category. Studies by the Department of Justice (DOJ) have also shown that based on Dr. Shakur’s age alone, he poses almost no risk of recidivism. Current and former staff have supported his release on parole, but the U.S. Parole Commission has denied him parole 8 times.

Mr. Shakur's critical health situation is of enormous and urgent concern to us. He has received a diagnosis of advanced bone marrow cancer caused by multiple myeloma. He had already been diagnosed with type 2 diabetes, hypertension, hyperlipidemia, and glaucoma. In 2013, he suffered from a stroke that required several months for recovery. In 2019 he experienced increasing pain; after months of medical neglect, advanced bone marrow cancer was diagnosed. Now, he is suffering from extensive painful bone lesions, caused by the growth of the bone marrow cancer in parts of his spine, ribs and pelvis. Mr. Shakur's oncologist has stated that Mr. Shakur is terminal with fewer than 6 months to live.

For all of the reasons stated above, we and the 60,000 thousand people who signed his [petition](#), call upon you to release Mr. Shakur from prison immediately and unconditionally. When he is released, we look forward to standing with you to acknowledge your just and humane decision.

Sincerely,

NAACP Legal Defense and Education Fund

NAACP

American Civil Liberties Union

Color Of Change

Center for Constitutional Rights

New York Civil Liberties Union

Black Voters Matter

Advancement Project National Office

Civil Rights Corps

NYU Center on Race, Inequality, and the Law

The Justice Roundtable

National Lawyers Guild

National Conference of Black Lawyers

Thurgood Marshall Civil Rights Center at Howard University

Until Freedom