



**U.S. Department of Justice**

Federal Bureau of Prisons

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Office of the Director

Washington, DC 20534

February 13, 2020

The Honorable Jerrold Nadler  
Chairman  
Committee on the Judiciary  
U. S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

Section 603(b)(3) of the First Step Act of 2018, titled "Annual Report," requires the Director of the Bureau of Prisons to submit to the Committee on the Judiciary of the Senate, and the Committee on Judiciary of the House of Representatives an annual report on requests and description of sentence reductions pursuant to 18 U.S. Code § 3582 subsection (c)(1)(A). A copy of the report is enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Hawk Sawyer".

Kathleen Hawk Sawyer  
Director

Enclosure

**Federal Bureau of Prisons  
Compassionate Release - First Step Act of 2018  
Report to Congress**

**Legislative Summary:** On December 21, 2018, the President signed the First Step Act of 2018 (FSA) into law (P.L. 115-391). Title VI at Section 603(b)(3) (codified at 18 U.S.C. § 3582(d)(3)), requires the Director of the Bureau of Prisons (Bureau) to submit a report on requests and description of sentence reductions.

**Reduction in sentence:**

**A. The number of prisoners granted and denied sentence reductions, categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, the Bureau's Director made RIS determinations as outlined below:

	Approved	Denied
<b>Medical-Terminal</b>	43	55
<b>Medical-Debilitated</b>	11	68
<b>Elderly-Medical</b>	0	28
<b>Elderly-Other</b>	1	14
<b>Child Caregiver</b>	0	2
<b>Spouse/Registered Partner</b>	0	1
<b>Other</b>	0	3
<b>Total</b>	55	171

**B. The number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, Bureau Wardens received the following number of RIS requests:

<b>Medical-Terminal</b>	342
<b>Medical-Debilitated</b>	641
<b>Elderly-Medical</b>	204
<b>Elderly-Other</b>	98
<b>Child Caregiver</b>	87
<b>Spouse/Registered Partner</b>	33
<b>Other</b>	330
<b>Total</b>	1,735

**C. The number of requests that BOP employees assisted prisoners in drafting, preparing, or submitting, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request.**

From January 1, 2019, to December 21, 2019, Bureau employees assisted prisoners in the drafting, preparation, or submission of the following number of potential RIS requests (note that this list is inclusive of all matters involving any manner of staff assistance, and includes potential RIS requests that may not have been ultimately submitted):

<b>Medical-Terminal</b>	293
<b>Medical-Debilitated</b>	475
<b>Elderly-Medical</b>	225
<b>Elderly-Other</b>	57
<b>Child Caregiver</b>	81
<b>Spouse/Registered Partner</b>	3
<b>Other</b>	342
<b>Total</b>	1,476

**D. The number of requests that attorneys, partners, or family members submitted on a defendant's behalf, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request.**

From January 1, 2019, to December 21, 2019, the Bureau received the following RIS requests from attorneys, partners, or family members, on an inmate's behalf:

	Approved	Denied
<b>Medical-Terminal</b>	5	2
<b>Medical-Debilitated</b>	0	3
<b>Elderly-Medical</b>	0	2
<b>Elderly-Other</b>	0	0
<b>Child Caregiver</b>	0	0
<b>Spouse/Registered Partner</b>	0	0
<b>Other</b>	0	0
<b>Total</b>	5	7

**E. The number of requests approved by the Director of the BOP, categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, the Bureau's Director approved the following RIS requests:

<b>Medical-Terminal</b>	43
<b>Medical-Debilitated</b>	11
<b>Elderly-Medical</b>	0
<b>Elderly-Other</b>	1
<b>Child Caregiver</b>	0
<b>Spouse/Registered Partner</b>	0
<b>Other</b>	0
<b>Total</b>	55

**F. The number of requests denied by the Director of the BOP and the reasons given for each denial, categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, the Bureau's Director, via the Bureau's Office of General Counsel (OGC), denied the following RIS requests:

<b>Medical-Terminal</b>	55
<b>Medical-Debilitated</b>	68
<b>Elderly-Medical</b>	28
<b>Elderly-Other</b>	14
<b>Child Caregiver</b>	2
<b>Spouse/Registered Partner</b>	1
<b>Other</b>	3
<b>Total</b>	171

The Bureau does not track the reasons for denial and, in many cases, multiple factors lead to denial. Specifically, some RIS requests are denied because the inmate does not meet the medical criteria, age, or time served requirements. Other requests are denied due to the nature and circumstances of the inmate's offense, the inmate's criminal history, the inmate's institutional adjustment, or other factors. Finally, it should be noted that the vast majority of denials occur at the institution level, which contributes to the significant difference between the numbers of requests Wardens receive and the numbers of decisions by the Director.

**G. For each request, the time elapsed between the date the request was received by the warden and the final decision, categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, the average time elapsed between the date the request was received by the Warden and the final decision, categorized by the reduction in sentence criteria (Medical-Terminal, Medical-Non-Terminal (Medical-Debilitated and Elderly-Medical), Non-Medical (Elderly-Other, Child Caregiver, Spouse/Registered Partner, and Other)) is as follows:

<b>Medical-Terminal</b>	39 days
<b>Medical-Debilitated</b>	58 days
<b>Non-Medical</b>	171 days

**H. For each request, the number of prisoners who died while their request was pending and, for each, the amount of time that had elapsed between the date the request was received by the BOP [and the date of death], categorized by the criteria relied on as the grounds for a reduction in sentence.**

From January 1, 2019, to December 21, 2019, 41 RIS requests were pending when the inmate-requester died. The annual number of such requests and the average time elapsed between the date the request was received by the Warden and the date of death, are as follows:

Type of Request	Official Request Date	Date of Death	Days Between Initial Request and Death
<b>2019</b>			
Medical – Terminal	8/23/18	1/2/19	132
Non-Medical	11/22/18	1/7/19	46
Medical – Terminal	12/19/18	1/9/19	21
Medical – Terminal	1/8/19	1/14/19	6
Medical – Non-Terminal	11/16/18	1/25/19	70
Medical – Non-Terminal	11/19/18	1/30/19	72
Medical – Terminal	1/11/19	1/31/19	20
Non-Medical	5/17/18	1/31/19	259
Medical – Terminal	8/13/18	2/16/19	187
Non-Medical	12/11/18	2/26/19	77
Medical – Terminal	11/19/18	3/2/19	103
Medical – Terminal	2/15/19	3/3/19	16
Medical – Non-Terminal	1/29/19	3/7/19	37
Medical – Terminal	2/12/19	3/8/19	24
Medical – Terminal	12/4/18	3/18/19	104
Medical – Terminal	11/15/18	3/20/19	125
Medical – Terminal	3/14/19	3/22/19	8
Medical – Terminal	3/14/19	3/31/19	17

Medical – Terminal	3/18/19	4/1/19	14
Medical – Terminal	11/20/18	4/12/19	143
Medical – Non-Terminal	1/9/19	4/28/19	109
Medical – Terminal	3/5/19	5/7/19	63
Non-Medical	2/8/19	5/10/19	91
Medical – Terminal	2/6/19	5/21/19	104
Medical – Terminal	5/14/19	6/20/19	37
Non-Medical	4/29/19	6/29/19	61
Non-Medical	4/12/19	7/4/19	83
Medical – Terminal	10/9/18	7/17/19	281
Medical – Terminal	7/12/18	7/23/19	11
Medical – Terminal	7/8/19	7/27/19	19
Medical – Terminal	4/22/19	8/1/19	101
Medical – Terminal	7/24/19	8/2/19	9
Medical – Non-Terminal	4/3/19	8/2/19	121
Medical – Terminal	4/5/19	8/4/19	121
Medical – Terminal	2/5/19	8/14/19	190
Medical – Terminal	7/29/19	8/31/19	33
Medical – Terminal	8/12/19	9/5/19	24
Non-Medical	4/22/19	9/21/19	152
Medical – Non-Terminal	5/10/19	10/27/19	170
Medical – Non-Terminal	12/28/18	11/29/19	336
Medical – Terminal	9/25/19	12/7/19	73

**I. The number of BOP notifications to attorneys, partners, and family members of their right to visit a terminally ill defendant as required under paragraph (2)(A)(ii) and, for each, whether a visit occurred and how much time elapsed between the notification and the visit.**

From January 1, 2019, through December 21, 2019, the Bureau made 41 notifications to the family members, partners, and attorneys of terminally ill inmates. A total of 20 visits were conducted. Please note that the visits tracked and included here are special visits for terminally ill inmates and do not include visits that may have occurred during regular social visiting hours. The time that elapsed between notification and visit is detailed in the table below.

Date of Family Notification	Date of Attorney Notification	Date of Visit	Time Elapsed
1/17/19	1/18/19	1/19/19	1 day
2/7/19	2/7/19	N/A	N/A
2/7/19	2/7/19	N/A	N/A
2/7/19	N/A	2/15/19	8 days
2/8/19	2/8/19	2/9/19	1 day
2/12/19	2/12/19	N/A	N/A
2/19/19	N/A	N/A	N/A
2/28/19	2/28/19	N/A	N/A

3/1/19	N/A	3/5/19	4 days
3/14/19	N/A	3/16/19	2 days
3/21/19	3/21/19	3/26/19	5 days
4/4/19	N/A	4/6/19	2 days
4/22/19	4/22/19	N/A	N/A
5/12/19	5/12/19	N/A	N/A
5/16/19	N/A	N/A	N/A
5/22/19	5/22/19	N/A	N/A
5/31/19	5/31/19	6/8/19	8 days
6/6/19	6/6/19	N/A	N/A
6/11/19	6/11/19	5/29/19	N/A
6/25/19	N/A	N/A	N/A
7/22/19	N/A	N/A	N/A
8/5/19	N/A	8/15/19	10 days
8/14/19	N/A	8/16/19	2 days
8/16/19	N/A	N/A	N/A
8/28/19	8/28/19	8/29/19	1 day
9/11/19	N/A	10/1/19	20 days
9/25/19	N/A	N/A	N/A
9/25/19	N/A	10/23/19	28 days
9/26/19	N/A	N/A	N/A
9/27/19	N/A	10/2/19	5 days
10/3/19	10/3/19	N/A	N/A
10/9/19	10/9/19	N/A	N/A
10/10/19	N/A	10/11/19	1 day
10/17/19	10/17/19	N/A	N/A
10/23/19	10/23/19	11/9/19	17 days
10/25/19	N/A	N/A	N/A
11/5/19	11/5/19	N/A	N/A
11/7/19	N/A	11/14/19	7 days
11/12/19	N/A	N/A	N/A
11/18/19	11/18/19	12/5/19 12/6/19	17 days
11/19/19	N/A	11/23/19	4 days
11/21/19	N/A	11/22/19	1 day
12/4/19	12/4/19	12/21/19 12/22/19	17 days
N/A	N/A	1/3/19	N/A
N/A	N/A	4/28/19	N/A
N/A	N/A	9/6/19 9/7/19 9/8/19	N/A
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

**J. The number of visits to terminally ill prisoners that were denied by the BOP due to security or other concerns, and the reasons given for each denial.**

No visits to terminally ill prisoners were denied by the Bureau.

**K. The number of motions filed by defendants with the court after all administrative rights to appeal a denial of a sentence reduction had been exhausted, the outcome of each motion, and the time that had elapsed between the date the request was first received by the BOP and the date the defendant filed the motion with the court.**

The Bureau cannot track all motions filed by inmates seeking compassionate release pursuant to the First Step Act of 2018, as it is not the primary litigating component of the Department of Justice relative to such motions and therefore may not be made aware of motions so filed. However, the Bureau can, and does, to the extent possible, track the number of court orders issued in response to such motions and resulting in the compassionate release of an inmate. As of December 21, 2019, the Bureau was aware of 81 such orders. It should be noted that although the Bureau can provide the dates of the motions of which it is aware, and the dates of the requests in cases in which a request was filed, the Bureau cannot categorize such motions by criteria, as inmates who file motions pursuant to the First Step Act are not bound by the Bureau's RIS criteria and do not always specifically categorize the "extraordinary or compelling circumstances" upon which they seek a reduction in their sentence.

As far as the Bureau is aware, from January 1, 2019, to December 21, 2019, inmates filed the following motions resulting in an order granting the motion:

Request Date	Motion Date	Outcome
1/22/19	1/8/19	Motion granted
11/7/18	1/14/19	Motion granted
9/4/18	1/24/19	Motion granted
5/1/19	1/24/19	Motion granted
5/31/17	1/28/19	Motion granted
8/29/18	2/1/19	Motion granted
7/23/18	2/1/19	Motion granted
7/30/18	2/4/19	Motion granted
2/4/19	2/5/19	Motion granted
8/23/17	2/6/19	Motion granted
None	2/11/19	Motion granted
6/22/18	2/19/19	Motion granted
12/10/18	2/24/19	Motion granted
10/18/18	2/25/19	Motion granted
1/28/19	2/27/19	Motion granted
1/8/18	3/5/19	Motion granted
1/21/19	3/6/19	Motion granted
1/31/19	3/8/19	Motion granted



3/12/19	3/11/19	Motion granted
1/30/19	3/11/19	Motion granted
3/10/19	3/11/19	Motion granted
1/7/19	3/11/19	Motion granted
6/24/19	10/2/19	Motion granted
5/9/18	3/18/19	Motion granted
8/7/18	3/25/19	Motion granted
6/20/19	4/3/19	Motion granted
11/29/18	4/4/19	Motion granted
1/28/19	4/8/19	Motion granted
3/3/19	4/15/19	Motion granted
10/3/18	4/23/19	Motion granted
3/15/19	4/26/19	Motion granted
9/7/18	5/6/19	Motion granted
9/27/18	5/10/19	Motion granted
1/10/19	6/4/19	Motion granted
4/16/19	6/6/19	Motion granted
5/17/19	6/7/19	Motion granted
2/28/19	6/10/19	Motion granted
6/28/17	6/11/19	Motion granted
5/29/19	6/13/19	Motion granted
2/22/19	6/13/19	Motion granted
3/27/19	6/18/19	Motion granted
10/3/18	6/20/19	Motion granted
4/1/19	6/20/19	Motion granted
1/28/19	6/26/19	Motion granted
6/8/19	6/27/19	Motion granted
5/18/16	7/5/19	Motion granted
6/13/19	7/8/19	Motion granted
5/9/19	7/11/19	Motion granted
5/24/19	7/12/19	Motion granted
3/25/19	7/15/19	Motion granted
4/3/19	7/15/19	Motion granted
2/28/19	7/18/19	Motion granted
2/21/19	7/31/19	Motion granted
7/31/18	8/5/19	Motion granted
7/2/19	8/7/19	Motion granted
7/2/19	8/7/19	Motion granted
3/19/18	8/7/19	Motion granted
7/3/19	8/13/19	Motion granted
1/23/18	8/14/19	Motion granted
10/5/17	8/21/19	Motion granted
6/26/19	8/22/19	Motion granted
10/26/18	8/27/19	Motion granted
5/16/19	8/29/19	Motion granted

6/14/19	8/30/19	Motion granted
8/3/19	9/5/19	Motion granted
8/2/19	9/5/19	Motion granted
2/28/19	9/10/19	Motion granted
7/9/19	9/13/19	Motion granted
9/13/19	9/13/19	Motion granted
5/20/19	9/23/19	Motion granted
8/30/19	10/2/19	Motion granted
9/4/19	10/4/19	Motion granted
9/13/19	10/8/19	Motion granted
5/29/19	10/15/19	Motion granted
8/23/19	10/17/19	Motion granted
No record	10/20/19	Motion granted
9/26/19	10/24/19	Motion granted
11/8/19	11/7/19	Motion granted
10/8/19	11/14/19	Motion granted
5/28/19	11/27/19	Motion granted
8/12/19	12/13/19	Motion granted