

centerforconstitutionalrights
on the front lines for social justice

May 15, 2013

Mr. Charles E. Samuels, Jr.
Director
U.S. Bureau of Prisons
320 First Street, NW
Washington, DC 20534

RE: Compassionate Release Request for Lynne Stewart #53504-054

Dear Director Samuels:

I write in my capacity as Executive Director of the Center for Constitutional Rights in support of the pending request before you for compassionate release of Lynne Stewart. The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights.

Ms. Stewart is a long-time friend of our organization who personifies the type of brave and skillful lawyering that is sorely needed at this moment in the country's history. Indeed, as District Court Judge Koeltl noted during her sentencing, Ms. Stewart “has represented the poor, the disadvantaged and the unpopular [with] enormous skill and dedication (earning little money for doing it). It is no exaggeration to say that Ms. Stewart performed a public service not only to her clients but to the nation.”

Ms. Stewart has been diagnosed with several threatening medical conditions, including Stage Four breast cancer, diabetes, and high blood pressure, and though she has been designated to the Carswell Federal Medical Center for treatment, her health problems have increased during her incarceration. Recently, Ms. Stewart discovered that cancer had spread to her lymph nodes, shoulder, bones, and lungs and was given a prognosis by her doctor of 12-24 months left to live. We ask that you consider filing a motion in support of supervised compassionate release for Ms. Stewart so that she may receive qualified care from her previous treatment facility in New York City and can tend to her health with the support of her family, friends, and community.

Under 18 U.S.C. § 3582(c)(1)(A)(i) and §1B1.13 of the U.S. Sentencing Commission Guidelines, the court may reduce a sentence term upon motion of the Director of the Bureau of Prisons if the court determines that “extraordinary and compelling reasons warrant such a reduction” and “the defendant is not a danger to the safety of any other person or the community.” We believe that Ms. Stewart’s dire state of health and diminished life expectancy present compelling reasons for a sentence reduction that can allow her to spend her final days among her support network and beloved family members as well as access treatment that may extend her life.

Ms. Stewart has served nearly a third of her ten-year sentence, longer than the sentence she was originally given before a Second Circuit Court of Appeals panel remanded her case for resentencing. A model prisoner, she has incurred no disciplinary infractions during her time in prison. Given her age, state of health, strong connections to her local community, plan to live with her family upon release, and decades-long experience serving as a well-esteemed public interest attorney on behalf of clients in dire need, we believe that Ms. Stewart poses no risk to the community in which she has spent her working and personal life. We request that you take these matters into consideration and grant the motion to the court for compassionate release of Lynne Stewart without delay.

Thank you for your consideration of this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "VW", is positioned above the typed name "Vince Warren".

Vince Warren

cc: Ms. Kathy Kenney
General Counsel
Federal Bureau of Prisons
320 First Street, NW
Washington, DC 20534

Hon. John G. Koeltl
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312