

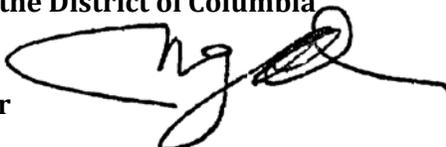
Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Philip H. Mendelson
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: June 18, 2012

SUBJECT: Fiscal Impact Statement – “Compassionate Release Authorization
Amendment Act of 2012”

REFERENCE: Bill 19-525, Draft Committee Print Shared with the Office of Revenue
Analysis on June 6, 2012

Conclusion

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the bill.

Background

Currently, the Director of the Federal Bureau of Prisons (“the Bureau”) may petition the court to reduce the sentence of a convicted felon who is incapacitated, terminally ill, or over the age of 65 and has a chronic infirmity, illness or disease related to aging. There is no similar process for the Director of the Department of Corrections (“DOC”) to submit a motion for the release of an inmate in a DOC facility or for a sentenced misdemeanor to receive consideration for compassionate release. Additionally, when a felon is in temporary DOC custody before being transferred to the Bureau, the DOC Director must work with the Bureau Director to request the filing of a motion. This adds costs and time to the process. For example, when an inmate is in a hospital or other medical facility, DOC must provide 24-hour security.

The bill amends the Medical and Geriatric Parole Act of 1992¹ by expanding the opportunity for compassionate release to inmates sentenced on misdemeanor charges and giving the DOC Director the authority to motion the courts for an inmate’s release. Additionally, the bill conditions the release as the suspended execution of a sentence, as opposed to a reduced sentence, so that the sentence can be reinstated if the individual is misleading regarding the need for a compassionate release.

¹ Effective May 15, 1993 (D.C. Law 9-271; D.C. Official Code § 24-468).

The Honorable Philip H. Mendelson

FIS: B19-525, "Compassionate Release Authorization Amendment Act of 2012," Draft Committee Print shared with the Office of Revenue Analysis on June 6, 2012

Financial Plan Impact

Funds are sufficient in the FY 2013 through FY 2016 budget and financial plan to implement the provisions of the bill. Overall, the compassionate release of an inmate could result in reduced costs by eliminating the wait currently necessary for the Bureau to process DOC cases. While current law does not allow for direct DOC processing, DOC already works with the Bureau to release felons under DOC custody as soon as medical conditions are brought to the DOC Director's attention to achieve cost savings. Additionally, DOC has not had any terminally ill misdemeanants and no cost savings from their inclusion in the bill can be estimated.