



November 12, 2015

Sally Quillian Yates
Deputy Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Deborah Leff
Pardon Attorney
145 N Street N.E.
Room 5E.508
Washington, D.C. 20530

Re: Oscar López-Rivera, 87651-024, FCI Terre Haute

Dear Ms. Yates and Ms. Leff:

We write to ask you to urge President Obama to exercise his constitutional power of pardon to commute the disproportionate sentence and order the immediate release of Oscar López-Rivera, who has served more than 34 years in U.S. prisons related to his commitment to the self-determination of Puerto Rico.

The American Civil Liberties Union is a nationwide nonprofit nonpartisan organization with a membership of more than 500,000 members of diverse political persuasions; all dedicated to defending and preserving the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. Consistent with our longstanding commitment to just and fair sentencing, the ACLU strongly believes that Mr. López-Rivera's disproportionate prison sentence serves no purpose consistent with merciful and compassionate justice. Mr. López-Rivera is currently 72 years old.

We support commutation for Oscar López-Rivera because of the strength of the civil rights and human rights issues his case represents. Mr. López-Rivera, who was not convicted of a crime of violence, is serving a 70 year sentence, which President Clinton determined to be disproportionate when in 1999 he commuted the sentences of most of Mr. López-Rivera's co-defendants. While all commuted co-defendants are living productive, law-abiding lives, Mr. López-Rivera will be 80 years old by the time he is eligible for release in 2023.

We are moved not only by our commitment to compassionate and just sentencing, but also by the consensus in Puerto Rico and Puerto Rican communities in the United States supporting Oscar Lopez-Rivera's immediate release, including the current and former governors of Puerto Rico, belonging to both major political parties; the House and Senate of Puerto Rico; the president, chancellor and Academic Senate of the University of Puerto Rico; the Puerto Rico

Bar Association; the College of Physicians and Surgeons; the Archbishop of San Juan and the Conference of Bishops; the Bishop of the Methodist Church; and the Ecumenical and Interreligious Coalition of Puerto Rico. Editorials from the Island's main daily newspaper have also recognized Mr. López-Rivera's ongoing imprisonment as a flagrant violation of human rights.

We are also impressed by the breadth of support within the United States, including the New York City Council; the Congressional Hispanic Caucus; the Hispanic National Bar Association; many unions (AFL-CIO, SEIU, AFSCME, and LACLAA) and churches, including the United Church of Christ, whose president made a pastoral visit to Mr. López-Rivera; President Jimmy Carter; and the late Coretta Scott King.

Support on the international level is equally as impressive, including the United Nations Decolonization Committee; the presidents of many Latin American nations and regional organizations; as well as many Nobel Peace Prize Laureates, including Archbishop Desmond Tutu, Rigoberta Menchú, José Ramon Orta, Adolfo Pérez Esquivel, Mairead Corrigan, and Jody Williams.

Many have called Mr. López-Rivera the Nelson Mandela of Latin America, in light of his conviction for seditious conspiracy, his more than 12 years in solitary confinement, his profound and unshakeable commitment to his people, and the dignity with which he has weathered more than 34 years in prison. His continuing incarceration serves no legitimate penological objective, and there is no danger to the community in releasing him, as the Governor of Puerto Rico observed following his state visit to Mr. López-Rivera in prison – the first such visit in the history of Puerto Rico.

An immediate commutation of Mr. López-Rivera's sentence would be wholly consistent with the President's expressed respect for the legacy of Mr. Nelson Mandela, himself imprisoned for 27 years on charges of seditious conspiracy. It would also be consistent with the President's laudable launching of Clemency Project 2014 and the recognition that the constitutional power of pardon is the appropriate remedy to correct the injustice of disproportionate sentencing. It would also reinforce the Justice Department's commitment to reform the criminal legal system.

The ACLU would welcome Mr. López-Rivera's commutation as an appropriate human rights and civil rights gesture.

Respectfully,

A handwritten signature in black ink, appearing to read "A. Romero". The signature is fluid and cursive, with a horizontal line underneath the name.

Anthony D. Romero
Executive Director
American Civil Liberties Union

William Ramirez
Executive Director
ACLU of Puerto Rico