



CIC | District of Columbia Corrections Information Council

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Updated Procedures for Compassionate Release Filing

In 2020, Washington, DC implemented DC Code § 24–403.04 which allows those who are serving a prison term for DC Code offenses to file a motion asking the sentencing judge for compassionate release. This is different from the federal law on compassionate release. There is no requirement that residents first ask the BOP for compassionate release before filing a motion for compassionate release with the court.

District of Columbia's Compassionate Release Criteria:

1. Have a terminal illness, or
2. Resident has other extraordinary and compelling reasons to justify such a change in the sentence including:
 - a. Resident has a debilitating medical condition involving an incurable, progressive illness, or a debilitating injury from which they will not recover, or
 - b. Elderly, defined as a defendant who is:
 - i. 60 years of age or older AND has served at least 20 years in prison or has served the greater of 10 years or 75% of their sentence, and
 - ii. Suffers from a chronic or serious medical condition related to the aging process or that causes an acute vulnerability to severe medical complications or death as a result of COVID-19; or
 - c. A family member or the person who cares for their children has died or is incapacitated, or
 - d. Their spouse or a domestic partner is incapacitated, and they are the only person who can care for them.

If a resident meets the above criteria, they are eligible for a compassionate release hearing. The court will look for evidence of the resident's rehabilitation activities while incarcerated. A hearing is not required, and the court may waive the appearance of a resident currently held in the custody of the Bureau of Prisons.

Motions for compassionate release can be filed pro se or with assistance from an attorney. People who meet the above criteria can request legal assistance from Georgetown Criminal Justice Clinic, attention: Anna Boer, 111 F Street NW, Suite 123, Washington, DC 20001 or via CorrLinks:

CriminalClinics@georgetown.edu