



National Lawyers Guild International Committee www.nlginternational.org

United States Parole Commission via facsimile 301/492-5543
5550 Friendship Boulevard, Suite 420
Chevy Chase, Maryland 20815

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

Dear Chairman Fulwood, and Commissioners Mitchell, Cushwa and Wilson Smoot:

As co-chairs of the International Committee of the National Lawyers Guild, we were most disappointed to learn that your hearing examiner recommended that Mr. López Rivera be denied parole and remain in prison until at least 2023. We write to urge you to reject that recommendation and to order his immediate release on parole.

In our opinion the examiner's recommendation is unjust, based on incorrect and irrelevant information, and in utter disregard of the vast support for his parole from the people of Puerto Rico, Puerto Rican, Latino and other communities in the United States, and human and civil rights supporters interested in his case throughout the world.

We are informed that conservative forces have mobilized to attempt to create controversy and to sow "anti-terrorist" hysteria and baseless fear mongering in order to persuade you to deny parole. We remember that these same forces mobilized in 1999 when President Clinton offered to commute the disproportionate sentences of Mr. López Rivera and his co-defendants. We recall that the president stood by his decision, stating he had no regrets, and that the man who now heads the Department of Justice maintained, in his 2009 Senate confirmation hearings, that the decision was reasonable.

In the face of this purported controversy, we respectfully urge you to consider only the relevant evidence, apparently ignored by the hearing examiner. We trust that when you do so, you will be convinced, as we are, that Mr. López Rivera fully meets the criteria for release on parole.

This evidence includes the fact — which President Clinton took into account in the 1999 clemency — that he was not charged, much less convicted of injuring anyone or taking a life. While it may be tempting to consider the testimony of people who unfortunately suffered as a result of a 1975 explosion in New York, this unfortunate explosion had nothing to do with Mr. López Rivera, as he was not accused or convicted of having any part in that act. As President Clinton rightfully explained following the clemency, "our society believes ... that a punishment should fit the crime. Whatever the conduct of the other FALN members may have been, these petitioners--while convicted of serious crimes--were not convicted of crimes involving the killing or maiming of any individuals." Had Mr. López Rivera accepted clemency, he would have been released from prison in September of 2009.

Other relevant evidence includes the outstanding example set by Mr. López Rivera's co-defendants released by presidential commutation in 1999 — they are productive, law-abiding members of society;



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and it similarly includes this Commission's absolutely non-controversial 2010 parole of his co-defendant Carlos Alberto Torres after he served 30 years in prison.

Additionally, the relevant evidence includes the overwhelming support for Mr. López Rivera's parole from virtually the entire civil society of Puerto Rico, from the Puerto Rico Bar Association to the Ecumenical and Interreligious Coalition of Puerto Rico (which includes every religious denomination) to elected officials across party lines, including many, like the Resident Commissioner, Honorable Pedro Pierluisi, who represents the almost 4 million people of Puerto Rico in the U.S. Congress, and ardently supports Parole for Mr. López Rivera despite personally opposing independence, the ideal to which Mr. López Rivera has devoted his life.

We add our voices to these supporters for Mr. López Rivera's parole, which also includes several members of the U.S. House of Representatives; prominent personalities, civic and religious leaders throughout the U.S.; elected officials, including from New York, California, Ohio, Pennsylvania, and Illinois; and international figures from Haiti, Mexico, and Australia.

All the foregoing evidence, including serving a very lengthy sentence of more than 29 years, demonstrates that his immediate parole will not depreciate the seriousness of the offense, and that he poses no risk to public welfare.

We respectfully urge you to reject the unjust recommendation of the hearing examiner — which is based on incorrect and irrelevant information, and in total disregard of the vast support for his parole — and grant him immediate parole.

Thank you for your attention to our concerns.

Sincerely,

Jeanne Mirer, Susan Scott, and Azadeh Shahshahani
Co-Chairs, International Committee
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