

Congress of the United States
Washington, DC 20515

November 20, 2024

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden,

As you continue to deliver for the American people during the final months of your presidency, we urge you to use your executive clemency power to reunite families, address longstanding injustices in our legal system, and set our nation on the path toward ending mass incarceration.

Mass incarceration remains a persistent, systemic injustice that erodes the soul of America. Our nation has the highest incarceration rate in the world, with nearly two million people locked in jails and prisons throughout the country. The extreme use of incarceration has resulted in one in two adults having an incarcerated family member.¹ People of color are disproportionately put behind bars, along with individuals from low-income communities, LGBTQIA+ folks, and those with disabilities.² The bloated prison system reflects and emboldens biases that undermine the ideals of our nation and diminishes trust in the rule of law. Mass incarceration attacks the most vulnerable Americans, thereby destabilizing families and inflicting intergenerational trauma.

While the most marginalized Americans feel the worst impacts, the entire country pays the cost of mass incarceration. In strictly fiscal terms, researchers estimate the total annual cost to taxpayers is \$182 billion, which is more than double the Department of Education's entire budget.³ Our country is spending exorbitant amounts of money to keep people in prison for prolonged periods of time, including those who do not pose a significant public safety threat.⁴ In our growing federal prison population, 90% of people are convicted of non-violent offenses.⁵ The reliance on incarceration in our legal system has created a crisis that must be addressed.

¹ *Every Second*, FWD.US (2018), <https://everysecond.fwd.us/downloads/everysecond.fwd.us.pdf>.

² *Mass Incarceration: The Whole Pie 2024*, PRISON POLICY INITIATIVE (2024), <https://www.prisonpolicy.org/reports/pie2024.html>; *Incarcerated LGBTQ+ Adults and Youth*, THE SENTENCING PROJECT (2022), <https://www.sentencingproject.org/policy-brief/incarcerated-lgbtq-adults-and-youth/>; *Disability*, PRISON POLICY INITIATIVE (2024), <https://www.prisonpolicy.org/research/disability/>.

³ *Mass Incarceration: The Whole Pie 2024*, PRISON POLICY INITIATIVE (2024), <https://www.prisonpolicy.org/reports/pie2024.html>; Further Consolidated Appropriations Act, Pub. L. No. 118-47.

⁴ *How Many Americans are Unnecessarily Incarcerated?*, BRENNAN CENTER FOR JUSTICE (2016), <https://www.brennancenter.org/our-work/research-reports/how-many-americans-are-unnecessarily-incarcerated>.

⁵ *Mass Incarceration: The Whole Pie 2024*, PRISON POLICY INITIATIVE (2024), <https://www.prisonpolicy.org/reports/pie2024.html>; *Statistics*, Federal Bureau of Prisons (2024), https://www.bop.gov/about/statistics/population_statistics.jsp.

As President, clemency is a potent tool to remedy the harms of mass incarceration. The pardon power is an innate part of our nation's legal system and expressly mentioned in the United States Constitution.⁶ Now is the time to use your clemency authority to rectify unjust and unnecessary criminal laws passed by Congress and draconian sentences given by judges. The grant of pardons and commutations and the restoration of rights will undoubtedly send a powerful message across the country in support of fundamental fairness and furthering meaningful criminal justice reform.

We applaud your efforts to create a fair and just criminal legal system throughout your time in the White House. Your previous use of clemency power, including pardoning people convicted of simple marijuana possession and LGBTQ+ former service members, demonstrates your understanding of its life-changing impact.⁷ That is why we write in support of furthering those efforts and ask you to take decisive action to remove people from prison and reunite them with their loved ones and communities. We encourage you to use your clemency powers to help broad classes of people and cases, including the elderly and chronically ill, those on death row, people with unjustified sentencing disparities, and women who were punished for defending themselves against their abusers.

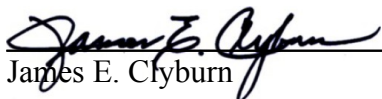
You have the support of millions of people across the country who have felt the harms of mass incarceration: young children longing to hug their grandparents, people who have taken responsibility for their mistakes, and those who simply were never given a fair chance. These are the people seeking help that only you can provide through the use of your presidential clemency power.

Thank you for your consideration.

Sincerely,



Ayanna Pressley
Member of Congress



James E. Clyburn

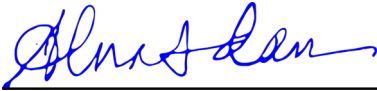


Mary Gay Scanlon
Member of Congress

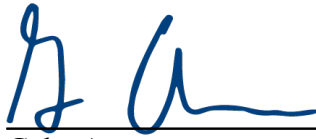
⁶ U.S. Const. art. II, § 2, cl. 2.

⁷ *Pardons Granted by President Joseph Biden (2021-Present)*, U.S. DEPARTMENT OF JUSTICE (2024), <https://www.justice.gov/pardon/pardons-granted-president-joseph-biden-2021-present>; *Presidential Proclamation on Marijuana Possession, Attempted Possession, and Use*, U.S. DEPARTMENT OF JUSTICE (2024), <https://www.justice.gov/pardon/presidential-proclamation-marijuana-possession>; *Presidential Proclamation on Certain Violations of Article 125 under the Uniform Code of Military Justice*, U.S. DEPARTMENT OF JUSTICE (2024), <https://www.justice.gov/pardon/presidential-proclamation-article-125>.

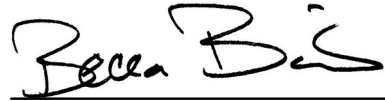
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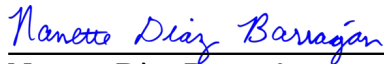
Alma S. Adams, Ph.D.
Member of Congress



Gabe Amo
Member of Congress



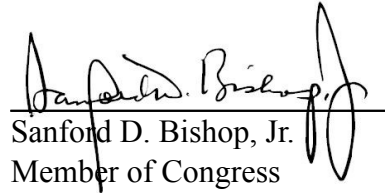
Becca Balint
Member of Congress



Nanette Diaz Barragán
Member of Congress



Joyce Beatty
Member of Congress



Sanford D. Bishop, Jr.
Member of Congress



Earl Blumenauer
Member of Congress



Jamaal Bowman, Ed.D.
Member of Congress



Shontel M. Brown
Member of Congress




Cori Bush
Member of Congress



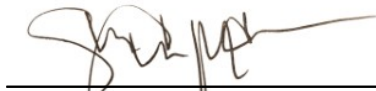
André Carson
Member of Congress



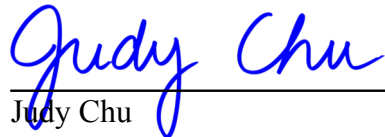
Troy Carter
Member of Congress



Greg Casar
Member of Congress



Sheila Cherfilus-McCormick
Member of Congress



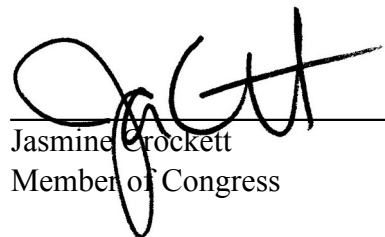
Judy Chu
Member of Congress



Yvette D. Clarke
Member of Congress



Emanuel Cleaver, II
Member of Congress



Jasmine Crockett
Member of Congress

Danny K. Davis
Member of Congress

Madeleine Dean
Member of Congress

Mark DeSaulnier
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Debbie Dingell
Member of Congress

Valerie P. Foushee
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Maxwell Alejandro Frost
Member of Congress

Jesús G. "Chuy" García
Member of Congress

Robert Garcia
Member of Congress

Al Green
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Raúl M. Grijalva
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Steven Horsford
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Jared Huffman
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Glenn Ivey
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Jonathan L. Jackson
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Pramila Jayapal
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Sydney Kamlager-Dove
Member of Congress

Robin L. Kelly
Member of Congress

Barbara Lee
Member of Congress

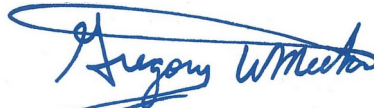
Summer L. Lee
Member of Congress

Jennifer L. McClellan
Member of Congress

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James P. McGovern
Member of Congress



Gregory W. Meeks
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Kweisi Mfume
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Gwen S. Moore
Member of Congress



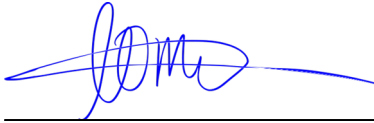
Jerrold Nadler
Member of Congress



Eleanor Holmes Norton
Member of Congress



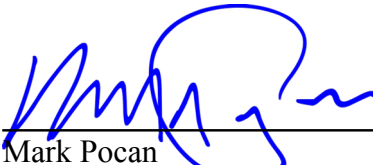
Alexandria Ocasio-Cortez
Member of Congress



Ilhan Omar
Member of Congress



Chellie Pingree
Member of Congress



Mark Pocan
Member of Congress



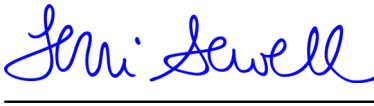
Delia C. Ramirez
Member of Congress



Jan Schakowsky
Member of Congress



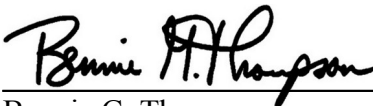
Robert C. "Bobby" Scott
Member of Congress



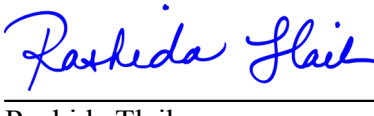
Terri A. Sewell
Member of Congress



Marilyn Strickland
Member of Congress



Bennie G. Thompson
Member of Congress



Rashida Tlaib
Member of Congress



Jim Tokuda
Member of Congress



Paul D. Tonko
Member of Congress



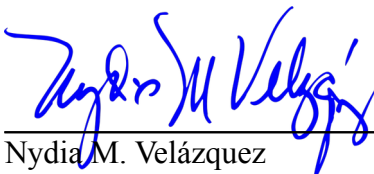
David J. Trone
Member of Congress



Lauren Underwood
Member of Congress



Marc A. Veasey
Member of Congress



Nydia M. Velázquez
Member of Congress



Bonnie Watson Coleman
Member of Congress



Frederica S. Wilson
Member of Congress