



National Boricua Human Rights Network

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United States Parole Commission
5550 Friendship Boulevard, Suite 420
Chevy Chase, Maryland 20815

via facsimile 301/492-5543

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

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

We were very saddened and disappointed to learn that your hearing examiner recommended denial of Mr. López Rivera's parole, and that he either be held in prison until his mandatory release date in 2023 or serve another 15 years before being reconsidered for parole. We write to urge you to reject his recommendation, and to order immediate release on parole.

We believe the examiner's recommendation to be unfair, contrary to justice, based on wrong information, and a slap in the face to the people of Puerto Rico.

The examiner arrived at the mistaken conclusion that releasing Mr. López Rivera on parole would depreciate the seriousness of the offense. In doing so, he erroneously chose to accept the testimony of people who unfortunately suffered as a result of a 1975 explosion at Fraunces Tavern in New York. However, this unfortunate explosion had nothing to do with Mr. López Rivera, as he was not convicted or even accused of participating in that act. Indeed he was not convicted of injuring anyone or taking a life.

These allegations are not new. President Clinton had access to the very same information when he offered to commute Mr. López Rivera's sentence under certain conditions which have now clearly been satisfied.

The examiner's recommendation is evidence of his failure to acknowledge President Clinton's determination that Mr. López Rivera's sentence was disproportionately lengthy, and his offer that would have resulted in Mr. López Rivera's release in September of 2009.

The recommendation also fails to take into account the fine examples of Mr. López Rivera's co-defendants, who are productive, law-abiding members of society after their presidential commutation in 1999; and it fails to consider this Commission's 2010 parole of his co-defendant Carlos Alberto Torres after he served 30 years in prison.

Mr. López Rivera clearly meets all of the criteria for parole. His immediate parole will not depreciate the seriousness of the offense, and he poses no risk to public welfare, as evidenced by 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 Pedro Pierluisi, the Resident Commissioner to the U.S. Congress who represents the almost 4 million people of Puerto Rico, who opposes independence, the ideal to which Mr. López Rivera has devoted his life. This is critical evidence which the hearing examiner erred in overlooking or discounting.

Like Javier Jiménez Pérez, the pro-statehood mayor of San Sebastián, Puerto Rico — Mr. López Rivera's hometown and where he hopes to make his home once again — we are anxious to welcome him home. We urge you to grant his immediate release. Thank you.

NAME: _____ STREET ADDRESS: _____

SIGNATURE: _____ CITY, STATE, ZIP: _____

EMAIL: _____