



U.S. Department of Justice

United States Attorney  
Southern District of New York

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The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

April 24, 2020

**VIA ECF**

Honorable Ronnie Abrams  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *United States v. Haena Park*, 16 Cr. 473 (RA)

Dear Judge Abrams:

The Government writes in response to the Court's order of earlier today, wherein the Court directed the Government to advise the Court whether the Government will waive the remaining time left – approximately three days – for Ms. Park to exhaust her administrative remedies. ECF 70.

This case presents unusual circumstances, including the following: (a) on April 9, 2020, the Bureau of Prisons (BOP) granted Ms. Park's request for a transfer to home confinement and denied her request for a reduction in sentence; (b) Ms. Park did not appeal the BOP's denial of her request for a reduction in sentence (and therefore, has not exhausted her administrative remedies); (c) in anticipation of her release on home confinement, Ms. Park was placed in a mandatory 14 day pre-release quarantine, which she has now completed; (d) on April 20, 2020, the BOP set forth criteria for eligibility for referral to home confinement, and Ms. Park's previously-approved transfer was suspended; (e) on April 22, 2020, BOP revised the criteria for home confinement, and Ms. Park again became eligible for prioritized release; (f) on April 23, 2020, the BOP again referred Park for home confinement, and scheduled her release for April 30; and (g) Ms. Park has a documented history of serious medical issues, including immunological conditions that affect her risk for COVID-19 under CDC guidelines. *See* Decl. of Warden Easter, ECF 69-1. In light of the unusual circumstances of this particular case, including that BOP has already elected to release her to home confinement on April 30 (shortly after the 30-day period would end) and is not actively considering her request for a reduction in sentence, the Government will waive the remaining time, approximately three days, for Ms. Park to exhaust her administrative remedies.

However, in light of the fact that the BOP has granted Ms. Park's request for a transfer to home confinement; that the camp in which Ms. Park is housed at FCI Danbury does not have any confirmed cases of inmates or staff infected with COVID-19; the fact that Ms. Park has been, and remains, in quarantine for more than 14 days so that she is protected from infection with COVID-19; and the fact that the BOP has scheduled her release for April 30 in order to permit time to

notify victims of Park's offense of her release and to conduct a home site inspection, the Government opposes Ms. Park's motion for a reduction in sentence on the grounds that Ms. Park has failed to demonstrate that "extraordinary and compelling" reasons exist in her case.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

by: /s/  
Christine I. Magdo  
Assistant United States Attorney  
(212) 637-2297

cc: All counsel of record (by ECF)