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Via ECF

Honorable Ronnie Abrams
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

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

Dear Judge Abrams:

Last night by Affidavit (Dkt. 69-1), the BOP represented that Ms. Park will be released on April 30, 2020, more than three weeks after the BOP originally approved Ms. Park's release to home confinement and acknowledged that her continued detention poses a grave danger to her health. I write to respectfully ask that the Court grant Ms. Park Compassionate Release and direct the BOP to release Ms. Park today.

Every day matters with this virus. To put it in perspective, below is a chart of the rate of rise of reported COVID-19 cases in the BOP every three days since March 20, 2020:

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Rate of Rise of Reported COVID-19 Cases in Bureau of Prisons¹ and the United States², Every 3 Days

Date	Number of BOP Cases	BOP Rate of Rise	Cumulative BOP Rate of Rise Since 3/20/2020	Number of National Cases	U.S. Rate of Rise	Cumulative U.S. Rate of Rise Since 3/20/2020
3/20/2020	2	0.00%	0.00%	18,747	0.00%	0.00%
3/23/2020	6	200.00%	200.00%	44,183	135.68%	135.68%
3/26/2020	18	200.00%	400.00%	85,356	93.19%	228.87%
3/29/2020	38	111.11%	511.11%	140,904	65.08%	293.95%
4/1/2020	94	147.37%	658.48%	213,144	51.27%	345.21%
4/4/2020	174	85.11%	743.59%	304,826	43.01%	388.23%
4/7/2020	313	79.89%	823.47%	395,011	29.59%	417.81%
4/10/2020	481	53.67%	877.15%	492,416	24.66%	442.47%
4/13/2020	589	22.45%	899.60%	579,005	17.58%	460.06%
4/16/2020	752	27.67%	927.27%	661,712	14.28%	474.34%
4/19/2020	804	6.91%	934.19%	746,625	12.83%	487.17%
4/22/2020	977	21.52%	955.70%	828,441	10.96%	498.13%

The rate of rise throughout the BOP, generally has been more than 955% in the last three days. Danbury, one of the hardest hit facilities, has a higher rate of infection and, at least, one reported inmate death. Time is on the essence.

Notably, in its Affidavit, the BOP provides no public safety or medical basis for its decision to push back Ms. Park's release. Instead, the Warden avers that the delay is needed to afford the BOP time to complete "pre-release tasks," including a home visit and victim-notification. As to the former "task," Ms. Park's residence previously was approved as a suitable place for her to live while she

¹ Numbers obtained from www.bop.gov/coronavirus on a daily basis. There is good reason to believe that the numbers reported by the BOP understate the actual number of tested-positive cases. Compare M. Licon-Vitale, MCC Ward, and D. Edge, MDC Warden, *Response to EDNY Administrative Order 2020-14* (Apr. 7, 2020) at https://www.nyed.uscourts.gov/pub/bop/MDC_20200407_042057.pdf (3 positive inmates at MDC Brooklyn) with *COVID-19 Cases* Federal Bureau of Prisons (Apr. 7, 2020) at www.bop.gov/coronavirus (2 positive inmates at MDC Brooklyn).

² Numbers obtained from <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

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was on pretrial release. As to the latter task, the Warden writes that the BOP cannot effectuate a “release earlier than April 30” because “FCI Danbury is not staffed to manually notify [the] victims” any earlier. However, the government already made victim-notification when Ms. Park filed her application for Compassionate Release with the Court in early April. It is perplexing why these two, non-urgent logistics should further delay Ms. Park’s release.

The BOP’s release date has been a moving target for the last three weeks. There is no good reason for a day more of delay and urgent reasons for Ms. Park’s immediate release. We ask that the Court grant Ms. Park’s Compassionate Release, reduce her sentence to time served, and order her immediate release to supervised release and home confinement. For the Court’s convenience, I attach a Proposed Order for the Court’s signature.

Thank you.

Respectfully submitted,

/s/ Julia Gatto

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cc: A.U.S.A. Christine Magdo (via ECF)