

LETTERS | IMPRISONED DIMASI AILING

Congress must act to give courts leeway for sick prisoners

By | MARCH 10, 2013

RE “IMPRISONED DiMasi weak with cancer, wife says” ([Page A1, March 7](#)): Congress has left federal judges without the statutory power on their own to remedy post-sentence medical problems such as those that occurred to former House speaker Salvatore DiMasi; instead, Congress has placed responsibility for responding to unforeseen but catastrophic medical events, such as DiMasi’s throat cancer, in the hands of the Bureau of Prisons.

The bureau has proved to be unwilling or unable to exercise its authority to care for or seek the release of nonviolent inmates whose medical circumstances require relief that is unavailable within the prison system. The bureau has used its power to seek “compassionate release” in only the rarest of cases despite the reality that there are untold numbers of federal prisoners suffering from devastating medical conditions in prisons far from their families.

That these medical illnesses, such as DiMasi’s, were first detected in prison, and therefore could not be considered by the federal courts (in this case, by Mark Wolf, then chief judge for the US District Court) at the time of sentencing only makes it more imperative that Congress provide the federal courts with the power to modify or reduce a sentence for medical reasons.

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The writer represented one of DiMasi’s codefendants and is handling the appeal of another.