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U.S. Department of Justice  
United States Parole Commission  
5550 Friendship Boulevard  
Chevy Chase, Maryland 20815-7201

Notice of Action

Name: [REDACTED] DCDC Number: [REDACTED]

Register Number: [REDACTED] Institution: [REDACTED] FCI

In the case of the above-named, the following parole action was ordered:

Reopen pursuant to 2.28 C.F.R. §2.28 (a) and parole effective October 6, 2001. In addition, you shall be subject to the Special Drug and Alcohol Aftercare Conditions which requires that you participate as instructed by your Supervision Officer in a program (inpatient or outpatient) approved by the D.C. Court Services and Offender Supervision Agency for the treatment of narcotic addiction or drug and/or alcohol dependency, which may include testing and examination to determine if you have reverted to the use of drugs or alcohol. You shall also abstain from the use of drug and alcohol and/or all other intoxicants during and after the course of treatment.

**REASONS:**

The Commission has reopened your case following a ruling by the General Counsel's Office of the lawsuit recently filed on your behalf. As a result of this lawsuit, the Commission has decided to interpret the phrase "not incompatible with the welfare of society" in DC Code § 24-304 to refer to protecting the public only from the potential criminal actions of prisoners if released on parole, and not to the potential health risks that may be posed by prisoners with communicable diseases. This interpretation, which is consistent with the interpretation of 18 U.S.C. § 4206, leaves such matters to the jurisdiction of the relevant public health agencies. This decision requires reversal of the Commission's departure from the guidelines in your case, which was based primarily upon the issue of the potential health risk to the public.

**THE ABOVE DECISION IS NOT APPEALABLE.**

Copies of this Notice are sent to your institution and to your Supervision Officer. In certain cases, copies may also be sent to the sentencing court. You are responsible for advising any others you wish to notify.

cc: CSS Data Management Group  
Attn: Sharon Barnes-Dartin, SCSA  
300 Indiana Avenue, N.W.  
Second Floor, Suite 2149  
Washington, D.C. 20001

Date: September 6, 2001

Clerk: OMG