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The Honorable Phil Murphy, Governor
The State House
225 W State St.
Trenton, NJ 08625

Re: Commutation of Sentence of Sundiata Acoli

Dear Governor Murphy:

I am writing at the suggestion of the Hon. Ras Baraka to request the exercise of your commutation power to release Sundiata Acoli to time served or to home confinement with his daughter, Sunni Middleton. Mr. Acoli (formerly Clark Squire) is 83 years old and has been incarcerated for 47 years for the 1973 killing of State Trooper Werner Foerster, a tragic event that grew out of the civil rights era. I believe he is a strong candidate for exercise of your constitutional power of commutation.

Sundiata Acoli has had a near perfect disciplinary record for 40 years, with no violations of any kind for the past 25 years, he has been honored many times by the Federal Bureau of Prisons for his intense levels of personal study while incarcerated (more than 120 courses) and for his work as an inmate Peer Leader and Honor Inmate, among many other forms of citation and recognition.

I am requesting commutation due to his exceptional record, his essentially non-criminal nature (his conviction arose out of a misguided civil rights perspective, not from gratuitous crime) and his increasing and irreversible health issues including cardiac disease, emphysema, glaucoma and advancing dementia. He has just been hospitalized and lost 30 pounds (he was already frail) due to a long bout with Covid-19. His age, outstanding prison record, prevailing medical conditions, growing dementia, family support and the certainty that he is not a threat to public safety all support commutation.

As his attorney, I have come to know Mr. Acoli well over the past nine years. He has emerged into a useful, law abiding and productive member of the community, albeit while incarcerated. He has evolved so far in his life and thought that he has been assigned to teach the Federal Bureau of Prisons's course in Avoiding Criminal Thinking, the program to teach younger inmates how to avoid recidivism.

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Mr. Acoli has received the inmate Honor Award and recognition as an inmate Peer Leader. As noted, he has been completely charge-free for the past 25 years. Sadly, he now has documented dementia. He struggles with compromised short term and long term memory and has difficulty in finding words to adequately express complex thoughts. I have observed this change over the past two years, similar to that which many of us have experienced with our parents as they struggle with advancing age.

Mr. Acoli's condition is progressing and if not given commutation soon, he will lose the capacity to ever benefit from release or modification of his confinement. His daughter, Sunni Middleton, an Executive Director at JPMorgan Chase & Co., has a large home in Brooklyn well-suited to providing a safe and financially supportive residence for an elderly and declining inmate.

With his near perfect disciplinary record, his course of study of more than 120 prison courses (including multi-year programs), his awards and citations for achievement, Sundiata Acoli is, in fact, the very model of a citizen corrected through incarceration. At 83 years of age, with dementia and declining health, he is no threat or danger to society. A simple sense of our basic compassion and human kindness strongly suggest commutation. In addition, for 40 years he been housed at remote, out of state federal locations, rarely able to see family or his children, enhancing his punishment, further reason for commutation at this time.

As his long-time counsel, I respectfully propose commutation for Sundiata Acoli to time served or, in the alternative, a modified plan of home confinement with his daughter Sunni, with limited periods of outside daytime activity, still within the control of DOC or, since he will be in Brooklyn, the New York probation department.

Respectfully,



Bruce I. Afran,
Counsel for Sundiata Acoli

C: The Hon. Ras Baraka