

Early Outcomes: Federal Commutations Primed to Make Positive Impact

In a presidential transition period ahistorically preoccupied with pardons and commutations, much ink has been spilled about the political implications of executive clemency. Clemency, like so many policy levers, can be used in many ways towards many ends. What should not be up for debate is its usefulness as a tool to address the excessive and racially disparate prison sentences that have undermined the American criminal justice system and plagued communities across the nation for decades.

This is why, at the end of former President Biden's term, a broad political coalition including [conservative criminal justice organizations](#), [national labor unions](#), [legacy civil rights organizations](#), and nearly [90 Members of Congress](#)¹ called on the President to include in his final clemency actions the thousands of people serving disproportionately long federal prison terms. This loud chorus was especially concerned about those who pay the highest price for over-incarceration but are unlikely to be proximate to political power – particularly the thousands harmed by outdated sentences from the crack and powder cocaine disparity and sentenced before relief became available under the First Step Act. Ultimately, the resounding calls were answered in two clemency announcements in the final days of the presidential term on January 17 and January 19, 2025, when nearly 2,500 people were granted sentence commutations from prisons, residential reentry centers, and home confinement. Of these commutations, 2,120 people were serving time in federal prisons, an overwhelming majority of whom are Black men serving long sentences for drug offenses.²

This early analysis from FWD.us offers a look into the extraordinary good on the other side of using clemency to address past injustices for people serving time in prison. Some highlights from President Biden's final sentence commutations include:

The commutations effectively focused on reducing extreme prison terms.

- 2,120 individuals in prison were spared a collective 16,340 years on their prison sentences.³
- While time saved varied from 3 months to 103 years, the average commutation recipient saved nearly eight years in prison.
- Without clemency, at least 135 people would have died in prison serving life or de facto life sentences.

1. Additional letters supporting clemency from some [U.S. Senators](#) and the [Congressional Black Caucus](#) were also sent in November and December 2024 respectively.

2. Between November 2024 and February 2025, President Biden and President Trump both utilized their respective clemency powers for multiple clemency actions, those included the December 12, 2024 commutations of 1,499 people who were placed on home confinement under the CARES Act during the COVID-19 pandemic; the December 23, 2024 commutations of death sentences to life imprisonment for 37 people on federal death row; preemptive political pardons, select individual commutations and pardons, and pardons for convictions related to January 6, 2021. This brief focuses specifically on the commutation recipients from January 17 and 19, 2025, and specifically on the 2,120 of whom were serving sentences in federal prisons, see methodology for more details.

3. Of the 2,120 people for whom prison years were saved, 2,095 had accessible conviction offense information. Of that group, 99.2% of these clemency recipients were convicted of a drug offense.

The commutations successfully targeted racial disparities in sentencing.

- Overall, 88% of President Biden's January commutation recipients in prison were Black, and 87% were Black men. Collectively, Black men were spared nearly 14,000 prison sentence years.
- In the commutation cases for people in prison where a drug type could be identified, 74% of clemency recipients had a crack cocaine offense, indicating that addressing this disparity was the most common reason individuals had their sentence commuted. Of those with an identifiable crack case, 93% were Black. Black commutation recipients in prison with crack cocaine offenses had an average pre-commutation sentence of 17.3 years in prison.
- Over 1,300 Black clemency recipients in prison had been sentenced to more than 10 years in prison and 600 had sentences of at least 20 years in prison. On average, Black clemency recipients had their sentences reduced by about 50%.

The homecoming of these clemency recipients will be felt in families, communities and economies across the country.

- Nearly 1,400 clemency recipients will be between 30 and 49 years old when they are released, giving them a meaningful opportunity to rejoin the workforce, take care of their families, and contribute to their communities.
- These clemency recipients were sentenced in 48 states, Washington D.C, Puerto Rico, Guam, and the Virgin Islands, with an overwhelming majority being released in 2025.

Top 20 Sentencing Locations, by Number of Clemency Cases

JURISDICTION	NUMBER OF CASES
North Carolina	263
Texas	234
Florida	156
New York	143
Pennsylvania	114
Virginia	102
South Carolina	100
Illinois	97
Tennessee	84
Iowa	72
Michigan	63
Ohio	53
Missouri	51
Georgia	50
Louisiana	48
Maryland	48
Alabama	40
Indiana	39
New Jersey	33
Puerto Rico	32

FWD.us was proud to stand with a broad and diverse group of Americans calling for these clemency actions. Check out our research demonstrating that long sentences [do not make communities safer](#), that [reducing federal prison terms can be done without compromising public safety](#), and that the [public is eager for action](#).

Methodology

This brief analyzes the 2,120 people who were in federal prison at the time their commutations were granted. Of the 2,497 commutations granted by the Biden Administration on January 17 and 19, 2025, four duplicates were identified and removed, yielding 2,493 unique individuals, 2,120 of whom were incarcerated at the time of the commutation. Of the remaining 373 people, 372 were identified in BOP data as under the jurisdiction of Residential Reentry Management (RRM) Offices, which corresponds to home confinement or other non-prison statuses, one person's location could not be confirmed. All statistics in this brief pertain to the 2,120 people who were in federal prison in January 2025. Clemency statistics were compiled using clemency warrants and sentence information from the Office of the Pardon Attorney website (OPA), along with data from the Bureau of Prisons' (BOP) person in prison locator accessed on January 21st, February 14th and 20th, and April 1st, 2025. Sentencing and offense information was located for 2,095 of those 2,120 people in prison.

For those in prison at the time of clemency, prison sentence years saved were calculated by subtracting the new clemency-based release date, published by the OPA, from the original sentence maximum expiration date, which was determined by using the sentence begin date and the total original sentence provided by the OPA. Life sentences were counted as equivalent to 50 years. Offense information was drawn from federal docket excerpts and may not include all charges for which a person was convicted. Actual release date was determined from the BOP locator.