

SECOND CHANCE 4 R.E.A.L.

SPECIAL LEGAL WELLNESS NEWSLETTER

COMPASSIONATE RELEASE AFTER RUTHERFORD: REHABILITATION STILL MATTERS

The Supreme Court's May 28, 2026 decision in **Rutherford v. United States**, 608 U.S. ___, 146 S. Ct. 1320 (2026) changed an important part of compassionate-release law.

The Court held that when Congress changes a sentencing law but deliberately makes that change nonretroactive, the resulting sentencing disparity cannot itself—alone **or combined with other factors**—serve as the extraordinary and compelling reason required by 18 U.S.C. § 3582(c)(1)(A). But *Rutherford* also recognized that compassionate release traditionally focuses on extraordinary changes in a prisoner's **personal circumstances**, including medical, age, and family circumstances.

The important message: Rutherford restricted one path to relief. It did not eliminate compassionate release—and genuine rehabilitation can still matter when combined with qualifying individualized circumstances.

THREE IMPORTANT POST-RUTHERFORD CASES

● **United States v. Stottlar**, 2026 WL 1556184 (D.N.H. June 2, 2026).

The court granted compassionate release based on serious problems involving the defendant's medical care **combined with profound rehabilitation**. The court found that his individualized medical circumstances and genuine rehabilitative record together were extraordinary and compelling.

● **United States v. Risher**, No. 1:19-cr-00539 (E.D.N.Y. June 29, 2026).

The court reduced Risher's sentence to **time served** after finding extraordinary family circumstances involving his incapacitated mother and substantial rehabilitation. Risher had maintained a spotless disciplinary record for years and completed numerous educational courses. The court expressly discussed *Rutherford* and concluded that his extraordinary rehabilitation, together with his family circumstances, supported relief.

● **United States v. Espinal**, No. 21-cr-10298-PBS (D. Mass. Aug. 3, 2026).

The court granted compassionate release because of extraordinary family caregiving circumstances involving Espinal's severely disabled sons. His successful rehabilitation programs, strong prison work performance, lack of prior criminal history, and other favorable factors also supported reducing his sentence to **time served**. The court expressly applied *Rutherford*.

WHAT THESE CASES TEACH

The developing post-*Rutherford* approach can be summarized simply:

Extraordinary personal circumstances + meaningful rehabilitation + favorable § 3553(a) factors may still support compassionate release.

Rehabilitation **alone** cannot qualify as an extraordinary and compelling reason. See 28 U.S.C. § 994(t). But rehabilitation may remain powerful supporting evidence when a person also has qualifying medical, family, or other extraordinary circumstances.

COULD YOUR CASE DESERVE A FRESH REVIEW?

A meaningful compassionate-release review may examine:

Medical or family circumstances • rehabilitation • disciplinary history • educational programming • employment history • release plans • community support • time served • prior motions • and the § 3553(a) sentencing factors.

Second Chance 4 R.E.A.L. works to help incarcerated and formerly incarcerated individuals and their families become better informed, organized, and prepared for second-chance opportunities.

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