

## FOR IMMEDIATE RELEASE

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Press stories in the past week have distorted the facts about Jens Soering's efforts to be repatriated to his home country.

Mr. Soering has not sought a personal meeting with the Governor, or any other extraordinary privilege on grounds that he is the son of a man who, many years ago, had a job with the German diplomatic representation to the United States. Mr. Soering is a German national who has served more than 28 years in prison on a Virginia sentence. He seeks transfer to the German prison system pursuant to the Council of Europe's Convention on the Transfer of Sentenced Persons (the "Treaty"). The Treaty—to which the United States and Germany are signatories—commits countries as a matter of comity to assist one another in appropriate circumstances by transferring prisoners to their home countries in the interests of social rehabilitation. Not just any prisoner can seek action under the Treaty – only those whose home countries signed the Treaty and whose home countries consent to their return. The Treaty had wide bi-partisan support when it was signed by the United States.

The Governor has the sole authority to act on behalf of the Commonwealth with respect to a request for transfer of a Virginia prisoner under the Treaty. Upon the Governor's consent on behalf of Virginia, Mr. Soering's application would then be considered for approval by the United States Department of Justice ("DOJ"). Guilt or innocence, or the nature of the crime, do not factor into the repatriation decision.

We believe that Jens Soering's renewed application for repatriation should be advanced for consideration by the DOJ under the terms of the Treaty because:

- Consent is in the best interests of the citizens of Virginia. The public safety of Virginians as well as their financial interests are well-served by transfer. Upon transfer, Mr. Soering would be removed to Germany immediately and could not return, as he is subject to a deportation order in the United States. In addition, the Commonwealth will be saving the costs of incarceration, future medical care, and any probation costs in the event of his eventual parole.
- Consent is in the best interests of the United States. The DOJ and our diplomatic corps regularly hear from US citizens in their families who are desperate to bring their loved ones home who have been incarcerated abroad. A 2013 report states that, each year, roughly 6,000 Americans are arrested in foreign countries (not limited to those countries involved in a prisoner transfer treaty or agreement). Given the broad geographic areas covered by prisoner transfer treaties with the United States, it seems likely that thousands of Americans have been convicted of crimes and are incarcerated in those jurisdictions. How can we expect them to be returned to the United States if we do not send prisoners like Mr. Soering home?
- Mr. Soering is not requesting special treatment. He is requesting that the Governor of the Commonwealth of Virginia approve his transfer pursuant to the Treaty, in accordance

with the same procedures available to any other foreign national imprisoned in the United States whose home country has signed a transfer treaty. The United States is a party to prisoner transfer agreements with fifty-one countries around the world. As of September 2010, the U.S.D.O.J had approved 2,203 applications by U.S. prisoners to be transferred to their home country. Between 2008 and 2010, transfers from the U.S. to members of the European Union accounted for 11% of the total approved international prisoner transfer applications.

- Mr. Soering's transfer to Germany will advance his ongoing, remarkable social rehabilitation. Mr. Soering, has served 28 years in incarceration, and, perhaps is unique among Virginia prisoners in having not a single disciplinary demerit in all those years. He has good Virginia Department of Corrections evaluations and has used his time constructively, becoming recognized as an author, religious scholar, and zealous advocate for prison reform. If he is to see his father before his father dies and is to ever make a re-entry into his native country and culture, now is the time. To the best of our limited information there are only two or three German nationals incarcerated in Virginia in addition to Mr. Soering. We understand that German officials consider his case completely different from the others in that: the crime occurred when he was very young; he has served a very long sentence and without repatriation has many more years to serve; he has a stellar disciplinary record; and his talents and his support system bode well for his reintegration into German culture and his prospects for a productive life in Germany.

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