

THE LEGAL AID SOCIETY

Justice in Every Borough.

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*****FOR IMMEDIATE RELEASE*****

Legal Aid Calls on Governor Hochul to Take Action on Dozens of Pending Clemency, Pardon Applications

Attorneys Urge Hochul to Discontinue Cuomo-Era Practice that Denied Thousands of Deserving New Yorkers a Fresh Start

(NEW YORK, NY) – **The Legal Aid Society** called on Governor Kathy Hochul to act on the many clemency and pardon applications that have been pending with the Governor’s office. Since becoming Governing earlier this year, Hochul has yet to use her clemency powers. Her predecessor, Andrew Cuomo, rarely used his clemency powers, only commuting the sentences of roughly 40 New Yorkers in roughly ten years.

“These New Yorkers, disproportionately people of color, are deserving of a second chance, and Governor Hochul should use her clemency powers to afford relief to the many people who are serving harsh sentences or who are living with the draconian consequences of past convictions,” said **Ted Hausman, Supervising Attorney with the Criminal Appeals Bureau at The Legal Aid Society**. “We hope that Governor Hochul departs from her predecessor’s practice, which afforded relief to such a small number of New Yorkers. She can and must use her broad commutation and pardon powers to reunite families and to keep families from being torn apart.”

Some examples of individuals for whom the Governor should immediately act to provide relief:

Michael Williams

Mr. Williams is currently serving a 20-year sentence for drug possession and sale. These crimes occurred on two days in 2010 when Mr. Williams was a young man. Mr. Williams, who takes full responsibility for his actions, has spent the past ten years growing as an individual and is more than ready to return to his family and his community. Strong mitigating factors surrounding Mr. Williams’ case, as well as his record during his incarceration and his solid release plans, present an excellent opportunity for the Governor to exercise her executive clemency power by commuting Mr. Williams’ harsh and excessive sentence.

Darran Samuel

Mr. Samuel, age 31, has served more than 16 years of a sentence of twenty-two years to life for felony murder. Though this was Darran’s first offense and the State never suggested that Darran intended to commit murder or

was even aware of his older companion's intent, Darran was tried as an adult at age 16 as required under New York law. Over the past 13 years Darran has experienced tremendous personal and intellectual growth. He has found strength in faith and worked hard to earn his high school equivalency diploma, despite struggling with a learning disability. He is now focused on pursuing higher education and contributing positively to his family and neighborhood. And with the overwhelming support of his family, friends, and teachers—all who knew Darran to be a polite, caring, and respectful child before the incident — Darran has the support system in place needed to make his transition back into the community successful.

Lesley Parfait

Mr. Parfait, who was brought to the United States in 1975 at the age of five and became a legal permanent resident in 1995, is facing mandatory deportation to Haiti based on a single, 16-year-old third-degree robbery conviction, a non-violent crime, committed during a difficult time when his family was facing dire circumstances. The Department of Homeland Security cites this sole robbery conviction as the basis for Mr. Parfait's deportation. A pardon from Governor Hochul would mitigate the harsh and inflexible impact of federal immigration law and would prevent Mr. Parfait's separation from his six children and seven grandchildren, who are all U.S. citizens.

Jose Vidal Canales Valeriano

Mr. Canales Valeriano pled guilty over a decade ago in 2008 and has fully served his sentence of one year of imprisonment. Mr. Canales, a loving husband and doting father to a United States citizen daughter, currently faces deportation due to his single conviction. A pardon would not only recognize the tremendous rehabilitation Mr. Canales has demonstrated over the last 13 years, but it would save him from further persecution and the death sentence that awaits him in El Salvador, from which he fled to avoid harm from violent gangs.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. www.legalaidnyc.org