

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 Hundreds of Pending Clemency 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 today called on Governor Kathy Hochul to [act on the many clemency applications](#) (applications for both sentence commutations and pardons) that have been pending with her office.

Since becoming Governing earlier this year, Hochul has only used her clemency to commute a single individual's sentence and she has granted pardons sparingly. Her predecessor, Governor Andrew Cuomo, rarely used his clemency powers, only commuting the sentences of a small percentage of New Yorkers who applied for relief.

Last December, Governor Hochul announced that her office would review clemency applications on a rolling basis to grant more deserving New Yorkers relief, but roughly a year later, this plan has [failed to materialize](#).

“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:

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.

Victor Clemente

Victor Clemente, 68, has been in State custody for almost 15 years following a conviction in 2008. Up until this conviction, he had no criminal record whatsoever, and letters from his family, friends, and colleagues demonstrate that he was a dedicated and loving father and husband, an exceptional employee, and a valued friend.

In 1988, the second-degree murder charges against Mr. Clemente were dismissed because the trial court ruled that he was denied his right to a speedy trial. Shortly thereafter, Mr. Clemente relocated to California in search of work. After Mr. Clemente left New York, the charges against him were reinstated following an appeal by the prosecution, but Mr. Clemente was never notified. As a result, Mr. Clemente lived and worked openly in California for 18 years, entirely unaware of the charges pending against him. It was not until 2006, when Mr. Clemente was voluntarily fingerprinted as part of his job at a state hospital, that the reinstated warrant for his arrest was discovered.

Since his incarceration, Mr. Clemente has dedicated himself to self-improvement as evidenced by his disciplinary and programmatic records, and he leads a quiet, reflective life at Eastern Correctional Facility.

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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