

# CLEMENCY COALITION OF NEW YORK

## CLEMENCY JUSTICE ACT

S.222 (Myrie) / A.155 (Solages)

The **Clemency Justice Act** proposes to make New York's clemency process more transparent and accessible. Between 2017-2020, the Governor's Office received over 6,400 clemency applications but granted only 95 clemencies: less than 1.5%. New York's clemency approval rate pales in comparison with other states, including conservative ones. In 2018, Alabama granted 79% of its clemency applications and in 2018, Georgia granted 75%.

New York is failing to take leadership on clemency, despite the fact that deportations and de facto life sentences continue to separate New York's immigrants and people of color from their families and destabilize already-struggling communities. With an unprecedented pandemic ravaging immigration detention centers and prisons, New Yorkers need this bill now more than ever.

### What does the Clemency Justice Act do?

- **A better process.** Currently, the clemency process is convoluted and inaccessible, with no way for applicants to check the status of their application or expedite it in case of an emergency, such as life-threatening health conditions or imminent deportation by ICE. Often, applicants wait years before receiving any communication from the Governor's office or Department of Corrections and Community Supervision (DOCCS).

### **This bill establishes a system for processing and evaluating clemency applications.**

Under this bill, the Governor must provide notice at several stages, including confirmation when the application is received and a status update one year later. Additionally, applicants can indicate an "urgent need" and request an expedited review of their application.

- **Transparency and Accountability.** Currently, New Yorkers have no regular access to information on their Governor's clemency record. Any public clemency announcements are made based on the Governor's discretion.

**This bill requires the Governor to publish clemency reports.** Under this bill, the Governor must, through a publicly accessible website, share information on the number of pardon and commutation applications submitted and granted, as well as the race, ethnicity, gender, and age of applicants. Personally identifying information will remain confidential.

The Clemency Coalition of NY is a multi-racial coalition dedicated to using New York's clemency power as a tool to free our people from deportation and incarceration, and to correct the injustices of the US's racist immigration and criminal legal systems.