

Jerry Brown Pardons 5 Ex-Convicts Facing Deportation, Provoking Trump



Gov. Jerry Brown of California pardoned five ex-convicts, including two whose families had fled the Khmer Rouge regime in Cambodia decades ago. President Trump criticized the move on Twitter on Saturday. Credit Rich Pedroncelli/Associated Press

Gov. Jerry Brown of California on Friday pardoned five ex-convicts facing possible deportation, drawing criticism from President Trump and heightening continued tensions between Washington and California.

The five immigrants were among 56 pardons and 14 commutations Mr. Brown granted on Friday — Good Friday and the start of Passover — to those who have been out of custody for at least 10 years and have exhibited “exemplary behavior” after their convictions, the governor’s press office said.

They included a United States military veteran, Sokha Chhan, a refugee from Cambodia who served nearly a year in jail for the misdemeanors of inflicting corporal injury on a spouse or cohabitant and threatening a crime with the intent to terrorize. Phann Pheach, another Cambodian refugee who was pardoned, served six months for possession of a controlled substance for sale and obstructing a police officer.

Mr. Brown also granted pardons to Daniel Maher, who spent five years in prison after being convicted of kidnapping, robbery and using a firearm, and who is now the director of a recycling program in Berkeley, Calif.; Sergio Mena, who was sentenced in 2003 and put on probation for three years for possession of a controlled substance for sale; and Francisco Acevedo Alaniz, who served five months for vehicle theft.

On Saturday morning Mr. Trump tweeted a list of crimes that he linked to the five who were pardoned and asked, “Is this really what the great people of California want?”



Donald J. Trump

✓@realDonaldTrump

Governor Jerry “Moonbeam” Brown pardoned 5 criminal illegal aliens whose crimes include (1) Kidnapping and Robbery (2) Badly beating wife and threatening a crime with intent to terrorize (3) Dealing drugs. Is this really what the great people of California want? @FoxNews

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It was the latest discord between Mr. Trump and leaders in California, where lawmakers have been actively seeking to disrupt Mr. Trump’s policies — not only by passing immigration laws that run counter to the administration’s agenda, but also by expanding environmental protections, raising gasoline taxes to pay for highway construction, and resisting moves to weaken rules for greenhouse gas emissions and fuel economy standards for automobiles.

“We will definitely not sit by idly as the Trump administration tries to deport immigrants, throw people off health care, ignore climate change and steal our water,” State Senator Scott Wiener, a Democrat, said in January. “It’s about

playing defense to whatever the administration throws at us — but also offense in terms of continuing California’s push for progressive social change.”

On Friday, the same day Mr. Brown announced the pardons, Mr. Trump declared April “Second Chance Month,” highlighting the need for ex-convicts to get an opportunity to become contributing members of society.

“I am committed to advancing reform efforts to prevent crime, improve re-entry and reduce recidivism,” Mr. Trump said in a news release.

Mr. Brown, who is serving the final 12 months of his second stint as governor, has granted 1,115 pardons and 51 commutations since taking office in 2011, Evan Westrup, the governor’s press secretary said on Saturday. It amounts to far more than his recent predecessors.

Some of these cases involved immigrants who faced deportation or who had already been deported. An exact breakdown was not immediately available.

In December, Mr. Brown pardoned two men who came to the United States as children, after their families fled the Khmer Rouge regime in Cambodia, and who were scheduled to be deported for their crimes, The Sacramento Bee reported. Last year, he pardoned three veterans who had been deported to Mexico and in 2015, he pardoned a man who was fighting deportation after serving two decades for burglary and kidnapping, among other crimes.

For ex-convict immigrants, deportation is a severe punishment that is often unwarranted, said Angelica Salas, executive director of the Coalition for Humane Immigrant Rights, which seeks to change California’s laws to help immigrants avoid deportation.

“We believe that deportation is an enhancement to their sentences that goes way too far,” she said. “They’ve actually paid their debt to society.”

Immigration law is “so punitive, that it just does not forgive,” she added. “Most judges, their hands are tied behind their back,” she said, and the inability to have any discretion promotes large-scale deportation.

Mr. Trump visited California in mid-March to inspect border wall prototypes designed to keep out undocumented immigrants. The trip came one week after Attorney General Jeff Sessions sued the state over three new immigration laws he

called unconstitutional, saying they made it impossible for federal immigration officials to deport criminals who were born outside the United States.

Mr. Brown, a Democrat, said at the time that Mr. Sessions was “basically going to war” with California.

In Mr. Trump’s weekly address on Saturday he took another swipe at California, blaming so-called sanctuary cities for the opioid epidemic, and referring to California as a “sanctuary state” that has become a hub for transporting heroin across the southern border. He also admonished Oakland’s mayor for helping “criminal aliens” elude the authorities because of the city’s “dangerous sanctuary policies.”

“Sanctuary cities put innocent Americans at the mercy of hardened criminals and heartless drug dealers,” Mr. Trump added. “These are bad people.”

That argument — that immigrants bring crime to America — has influenced many of the Trump administration’s policies on immigration. Studies have shown, however, that immigration does not drive crime. According to one recent analysis, a large-scale collaboration by four universities, the areas with the largest increases in immigrants all had lower levels of crime in 2016 than in 1980.

“The data is crystal clear that immigrants do not lead to an increase in crime,” said Ali Noorani, executive director of the National Immigration Forum. “I think opponents to immigration like to cherry-pick egregious cases where the individual does not belong in the U.S. and therefore marginalize an entire community.”

Source: <https://www.nytimes.com/2018/03/31/us/california-pardon-immigrants.html>

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