

Contacts:

**Kimberly Brooks** +1 212 504 5652

kimberly.brooks@cwt.com

# NewsRelease

For Immediate Release:

## Cadwalader Pro Bono Client Receives Presidential Clemency

Washington, DC, January 24, 2017—In his final full day in office, President Barack Obama commuted the sentence of a pro bono client represented by Kendra Wharton of Cadwalader's Washington, DC office. [To preserve his anonymity and respect his privacy, we refer to him as Mr. H.]

The representation was conducted under the auspices of the Department of Justice Clemency Initiative, through Clemency Project 2014, which was established to identify and provide pro bono representation to federal inmates sentenced under recidivist enhancements that were no longer part of the Department of Justice policy for federal drug sentencing.

Over 16,000 petitions for clemency were reviewed by the Office of the Pardon Attorney, and 1,715 commutations given, including Mr. H.

In 2008, Mr. H. received a 20-year sentence after the application of a recidivist enhancement to the statutory 10-year sentence. In receiving clemency, his sentence was reduced by almost 10 years.

In an August 2013 speech to the American Bar Association, Attorney General Eric Holder endorsed the need to reform federal sentencing laws and practices to reduce the number of people sent to prison and the length of their sentences. Identifying “just sentences” for low-level, nonviolent drug defendants as a Department of Justice priority, Holder issued a memorandum to federal prosecutors instructing them to avoid charging offenses carrying mandatory minimum sentences for certain low-level, nonviolent offenders. He also directed prosecutors to avoid seeking mandatory drug sentencing enhancements based on prior convictions when such severe sentences are not warranted.

Wharton, an associate in Cadwalader's White Collar Defense and Investigations Group, worked with Mr. H for 12 months, successfully advocating for his sentence to be reduced by almost 10 years. The commutation, which is conditioned upon Mr. H's acceptance, sets his sentence to expire on January 19, 2019.

"This is a life-changing outcome for our client, and it is consistent with the Clemency Initiative's position that we all benefit when we rehabilitate, rather than incarcerate, nonviolent drug offenders," Wharton said.

Added Cadwalader partner Anne Tompkins, who supervised the pro bono matter, "Kendra showed outstanding determination and legal acumen and provided exceptional counsel to her client. We are very proud of her and the outstanding work the firm performed with the Clemency Initiative and on all pro bono matters."

In addition to Wharton, a number of other Cadwalader attorneys have done work for the Clemency Initiative, including Joseph Jay III, Peter Carey, Colleen Kukowski and James Treanor.

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