



## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

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As required by law, Gov. Christie Whitman has submitted to the Legislature an annual report on reprieves, pardons and commutations for the period of Jan. 1, 1995 to Dec. 31, 1995. Gov. Whitman did not grant any reprieves or commutations during this period. Pardons were granted to seven persons, all of whom were sentenced 10 years ago or more, and have been released from prison for five or more years. All seven pardons were recommended by the Parole Board.

New Jersey state law empowers the Governor to grant three types of executive clemency for convicted criminals who meet prescribed eligibility requirements. The clemency categories include:

\*commutation of sentence, in which a person who is currently in prison or on probation or parole requests the reduction of his or her sentence for medical or other reasons; and

\*reprieve, in which a person who has been convicted of a crime requests postponement of his or her punishment or sentence;

\*pardon, in which a convicted criminal who has served his or her sentence and has shown himself or herself to be rehabilitated, requests to reclaim rights and privileges of citizenship.

The Office of the Governor has received 97 requests for executive clemency in 1994 and 1995. Gov. Whitman has granted no requests for reprieves or commutations believing that no applicants have adequately demonstrated the need for these actions.

In her two years in office, Gov. Whitman has granted just seven pardons for individuals who have paid their debt to society by fulfilling their sentences and have shown themselves to be rehabilitated.

A copy of the report is attached.



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CHRISTINE TODD WHITMAN  
GOVERNOR

March 1, 1996

Honorable Donald T. DiFrancesco  
Senate President  
State House  
Trenton, New Jersey 08625

Honorable Jack Collins  
Assembly Speaker  
State House  
Trenton, New Jersey 08625

Honorable John A. Lynch  
Senate Minority Leader  
State House  
Trenton, New Jersey 08625

Honorable Joseph V. Doria, Jr.  
Assembly Minority Leader  
State House  
Trenton, New Jersey 08625

RE: Annual Report on Reprieves, Pardons and Commutations granted during the period of January 1, 1995 to December 31, 1995

Dear Senator DiFrancesco, Senator Lynch, Speaker Collins and Assemblyman Doria:

As you know, under New Jersey State law, the Governor is responsible for granting reprieves, commutations and pardons. A reprieve provides temporary relief from or postponement of the execution of a criminal punishment or sentence, while a commutation allows a person currently serving a sentence to be released from incarceration or have his or her sentence reduced. In accordance with the provisions of N.J.S.A. 2A:167-3.1, I hereby file this report to advise you that I have not granted any reprieves or commutations for the period of January 1, 1995 to December 31, 1995.

A pardon applies to a person who has served his or her sentence and who has returned to the community. Upon receipt of a pardon application, the Parole Board conducts a full investigation into the circumstances surrounding the crime(s) for which the applicant seeks a pardon. Additionally, the Parole Board verifies the facts contained in the pardon application concerning the applicant's employment, education and family history, and conducts a criminal history background check to assure the applicant has not committed any crimes subsequent to

the crime(s) for which he seeks a pardon. A separate report is prepared for each application.

The Parole Board recommended that the 7 individuals listed below be granted a pardon. I have reviewed the Parole Board's reports and, consistent with the Parole Board's recommendations, I have granted the following individuals pardons:

1. Nicole Ehart

Ms. Ehart was convicted of conspiracy to distribute a controlled dangerous substance and was sentenced on April 30, 1982 to probation for 1 year and ordered to pay a \$500.00 fine. On October 3, 1995, Ms. Ehart was granted a pardon for the above crime because the information contained in her application for a pardon demonstrated that she was a deserving applicant.

2. Daniel Kane

Mr. Kane was convicted of possession of a controlled dangerous substance and was sentenced on September 28, 1984 to 2 years of probation and ordered to pay a \$500.00 fine. On November 13, 1995, Mr. Kane was granted a pardon for the above crime because the information contained in his application for a pardon demonstrated that he was a deserving applicant.

3. Buster Lawrence

Mr. Lawrence was convicted of carrying a deadly weapon (a police night stick) and was sentenced on October 29, 1956 to 3 years of probation and ordered to pay .50 cents per week to the Chief Probation Officer. On November 13, 1995, Mr. Lawrence was granted a pardon for the above crime because the information contained in his application for a pardon demonstrated that he was a deserving applicant.

4. Andrew Magee

Mr. Magee was convicted of possession of a controlled dangerous substance with the intent to distribute and assault on a police officer. He was sentenced on March 24, 1986 to 3 years of probation and 300 hours of community service. On June 20, 1995, Mr. Magee was granted a pardon for the above crimes because the information contained in his application for a pardon demonstrated that he was a deserving applicant.

5. Henry Pfiester

Mr. Pfiester was convicted of possession of a controlled dangerous substance with the intent to distribute and was sentenced on March 24, 1976 to a suspended prison sentence of 3 to 5 years and was placed on probation for 2 years. On November 27, 1995, Mr. Pfiester was granted a pardon for the above crime because the information contained in his application for a pardon demonstrated that he was a deserving applicant.

6. Linda Toscano

Ms. Toscano was convicted of 2 counts of distribution of a controlled dangerous substance and on September 20, 1972 was sentenced to probation. On June 20, 1995, Ms. Toscano was granted a pardon because the information contained in her application for a pardon demonstrated that she was a deserving applicant.

7. Earl Vazquez

Mr. Vazquez was convicted of desertion and non-support and was sentenced on June 17, 1965 to a term of 2 to 3 years imprisonment. On June 20, 1995, Mr. Vazquez was granted a pardon because the information contained in his application for a pardon demonstrated that he was a deserving applicant.

Yours sincerely,

Christine Todd Whitman  
Governor