

Team Secures Victory for Pro Bono Client Joseph Wang when Judge Reduces Life Sentence

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On May 15, 2017, the firm secured a significant win on behalf of pro bono client Joseph Wang. In 1989, at the age of 17, Mr. Wang participated in two murders as a member of the Green Dragons gang. Mr. Wang was subsequently convicted and sentenced to a mandatory term of life imprisonment without the possibility of parole for his role in those crimes.

Beginning from the time of his conviction in 1991, Mr. Wang made every effort to reform himself while in prison. Despite having no hope of ever leaving prison, Mr. Wang obtained his GED, became a passionate painter, and engaged in numerous opportunities to contribute positively to his prison community (such as by teaching courses in painting and ceramics and creating a Buddhism program for other inmates) as well as those less fortunate outside of prison (such as by creating artwork for children with cancer). Most notably, from the time of his conviction 26 years ago until today, Mr. Wang has not had a single disciplinary incident while in prison.

In 2012, the Supreme Court ruled in *Miller v. Alabama* that mandatory life-without-parole sentences for juveniles are unconstitutional, and subsequently mandated that inmates previously sentenced to such terms for crimes they committed as juveniles must be afforded a resentencing opportunity. A firm team led by Partner Michael W. Ross successfully sought *habeas* relief for Mr. Wang, and, last August, Judge Dora L. Irizarry of the Eastern District of New York granted Mr. Wang's *habeas* petition and set a schedule for resentencing.

Mr. Wang's resentencing proceeding was held this past Monday. Citing the substantial evidence that Mr. Wang had "made a choice to be better," as demonstrated by his spotless disciplinary record while incarcerated, his volunteer work and his obvious rehabilitation, Judge Irizarry resentenced Mr. Wang to a term of 30 years' imprisonment. Because of the substantial good-time credit that Mr. Wang has earned over the past 26 years, it is expected that he will be released in no more than a few months.

News of the resentencing has been covered by the *NY Daily News* and the *New York Post*. In a statement provided to the *NY Daily News*, Michael said that Judge Irizarry's reduced sentence

“recognizes that juveniles who commit even heinous crimes are capable of changing. Mr. Wang’s case exemplifies that constitutional principal.”

Additional members of the team included Associates Caroline DeCell and Justin O. Spiegel and Law Clerk Stephanie Krent. Partners Anthony S. Barkow and Brian J. Fischer also provided key support and guidance.

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