



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND • CALIFORNIA • 94612

LIBBY SCHAAF
Mayor

NIKKI FORTUNATO BAS
Councilmember – District 2

July 21, 2022

Office of the Governor
State Capitol
Attn: Legal Affairs/Clemency
Sacramento, CA 95814

Re: Letter in Support of a Pardon for Mr. Phoeun You #A-023884337 / CDCR#K30232

Dear Governor Newsom:

We are writing to follow-up on our April 2022 letter in support of a pardon for Mr. Phoeun You, who is currently detained at Mesa Verde immigration detention and is facing deportation to the country of Cambodia. We respectfully request that you grant clemency to Mr. You.

As Oakland's Mayor and District 2 Representative / Oakland City Council President, we are proud to support and service District 2, Oakland's most diverse district and home to the city's greatest share of Asian American Pacific Islander residents, as well as several anchor cultural and wellness organizations serving immigrants and refugees.

Mr. You is a Cambodian refugee, who has only known the United States to be his home. Born in 1975 in Cambodia, Mr. You was the second youngest of ten siblings. In 1978, when Mr. You was 4 years old, Mr. You's family escaped the genocide and found safety at a refugee camp in Thailand. At 5 years old Mr. You and his family resettled in the U.S. and like many Southeast Asian refugees, Mr. You and his family lived in poverty, and without adequate mental health and financial resources, they struggled to live in the United States. Growing up in Long Beach, Mr. You and Asian youth like him were often bullied at school. For a sense of belonging and protection, Mr. You joined a gang at 13. Mr. You's home life was also challenging. Mr. You lived in a 15 person household and constantly faced housing and food insecurity. Multiple times, his family was forced to move out from one home to another due to the high cost of living. He began abusing drugs and alcohol. One day in 1995, Mr. You stood outside of his nephew's school waiting to pick him up. A car rushed towards him and about 6 rival gang members came out throwing punches at Mr. You, his nephew, and nephew's friend. Wanting to protect his nephew, he made a promise to seek accountability in the only way he knew -- retaliation. Mr. You and his nephew searched for the rival gang members to confront them.



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Mr. You opened fire into a crowd that tragically resulted in a death. At the age of 20, Mr. You was arrested and convicted of 1st-degree murder by a jury trial, and sentenced to 35 years to life.

For the next 26 years, Mr. You would undergo a deep transformation, accountability, and healing. While incarcerated, Mr. You experienced the death of his sister who was murdered by her boyfriend. This sent Mr. You into a deep despair. In 2007, Mr. You was transferred to San Quentin State Prison, where he decided to channel his grief into his healing and growth. He worked as a layout designer and writer for *San Quentin News* and joined the Society of Professional Journalists. Being a journalist was enriching to Mr. You. It provided him with the ability to contextualize his experience with systemic racism while holding himself accountable to choices he's made. Mr. You became a founding member of ROOTS (Restoring Our Original True Selves), a self-help program that connects prisoners to their history and culture through education and restorative justice programs. He became an alumnus with the Last Mile, an entrepreneurship program that combines technology and business. Mr. You became certified as a counselor by BAWAR, (Bay Area Women Against Rape), and in Sheet Metal Certification Shop. Mr. You graduated from VOEG (Victim Offender Education Program), a victim awareness program that focuses on unpacking trauma both from the offender and victim's perspectives, the ARC (Addiction Recovery Counseling) program, NVC (Non-Violent Communications) curriculum, Peer Health Education by Centerforce, and in 2015, Mr. You graduated with an AA degree from Patten University.

In August of 2021, Mr. You qualified for a parole hearing because he was criminalized and incarcerated at a young age, and was recommended for early release by the Board of Parole Hearings in recognition of his commitment to service, mentorship, and rehabilitation. However, because Mr. You is not a US citizen, on January 1, 2022, Mr. You was transferred to ICE on his release date. Mr. You is currently detained at the Golden State Annex ICE facility and at any moment ICE can deport Mr. You to Cambodia.

Mr. You is a son, brother, uncle, friend, and valued leader in the community. Our communities in California have so much to gain from Mr. You's wisdom and courageous empathy and leadership. I urge you to see Mr. You's humanity and to recognize the incredibly long but critical process he endured and the hardships he will face if deported. I urge you to grant Mr. You a pardon so that he can continue his reentry plans. I urge you to keep Mr. You home, in the United States, with his family and loving community.



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Please do not hesitate to contact our staff with any questions about this letter: Tiffany Kang, Policy Analyst & Community Partnerships Manager for Councilmember Nikki Fortunato Bas at tkang@oaklandca.gov and Shereda Nosakhare, Chief of Staff for Mayor Libby Schaaf at snosakhare@oaklandca.gov.

Thank you for your consideration in our request to pardon Mr. Phoeun You.

Sincerely,

Council President Nikki Fortunato Bas

Mayor Libby Schaaf