



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

January 17, 2017

The Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President,

We write to request your attention to a serious instance of injustice in the case of *United States v. Sholom Rubashkin*. As citizens of the United States of America and as elected officials in New York City and State, we are outraged at the lengthy, disproportionate sentence imposed upon Mr. Rubashkin. Sentenced in 2010 for financial fraud, the first-time offender and family man was condemned to an unprecedented 27 years in federal prison. The sentence imposed was not only extraordinary, but also two years longer than what was recommended by prosecutors.

Given your decision to commute the sentence of Chelsea Manning, convicted of serious charges including espionage, theft, and computer fraud, we believe that it is appropriate to re-visit the Rubashkin case and consider it for commutation. A bi-partisan collection of fifty-one members of Congress in sixteen states¹ have written to the Justice Department to request an investigation into the potential judicial and prosecutorial misconduct that led to Mr. Rubashkin's unjust sentence. Additionally, prior to sentencing, six former United States Attorney Generals and other former DOJ officials wrote a letter² expressing concern about the possibility of an unduly harsh sentence to the Honorable Justice Linda R. Reade, Chief Justice of the US District Court for the Northern District of Iowa. Furthermore, a letter supporting Mr. Rubashkin's motion to vacate his sentence was signed by more than one hundred bi-partisan officials including current and retired attorney generals, US attorneys, district court judges, and law professors in April of 2016³. The letter included a request for the US Attorney to review mounting evidence of prosecutorial misconduct in the case of Mr. Rubashkin.

In light of your desire to right perceived injustices, as demonstrated by the commutation of Chelsea Manning's sentence, we respectfully ask that you consider freeing Mr. Rubashkin, who, like Manning, has already served seven years of his sentence. In your eight years as president of our great country, you have asserted that you seek truth, justice, and equality for all. It would be a truly fitting conclusion to your term to demonstrate that by freeing Sholom Rubashkin.

Respectfully,

Handwritten signature of Chaim Deutsch in black ink.

Chaim Deutsch
Council Member, 48th District
Brooklyn, NY

Handwritten signature of Andrew Cohen in black ink.

Andrew Cohen
Council Member, 11th District
Bronx, NY

Handwritten signature of Rory Lancman in black ink.

Rory Lancman
Council Member, 24th District
Queens, NY

¹ <https://justiceforsholom.org/the-response/congressional-response>

² <https://justiceforsholom.org/wp-content/uploads/2011/03/6-Attorneys-General-Letter.pdf>

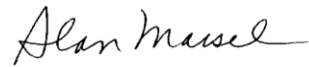
³ <https://justiceforsholom.org/wp-content/uploads/2016/05/Letter-To-United-States-Attorney-Kevin-Techau-April-19-2016.pdf>



Karen Koslowitz
Council Member, 29th District
Queens, NY



Helen Rosenthal
Council Member, 6th District
Manhattan, NY



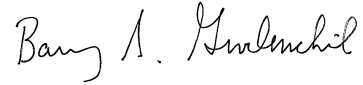
Alan Maisel
Council Member, 46th District
Brooklyn, NY



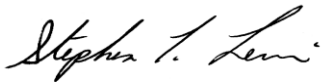
Laurie Cumbo
Council Member, 35th District
Brooklyn, NY



Brad Lander
Council Member, 39th District
Brooklyn, NY



Barry Grodenchick
Council Member, 23rd District
Queens, NY



Stephen Levin
Council Member, 33rd District
Brooklyn, NY

CC: Senator Charles Schumer
Senator Kirsten Gillibrand
Attorney General Loretta Lynch
Deputy Attorney General Sally Yates
Neil Eggleston, White House Counsel