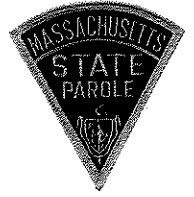




*The Commonwealth of Massachusetts  
Executive Office of Public Safety and Security*



**Charles D. Baker**  
*Governor*

**Advisory Board of Pardons**  
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**IN THE MATTER OF  
ZAIDA MIRITA PIMENTEL-SOLANO  
PETITION FOR PARDON  
REPORT AND RECOMMENDATION**

***YOUR EXCELLENCY:***

The Advisory Board of Pardons (hereinafter "the Board") respectfully submits this report and recommendation concerning the pardon petition of Zaida Mirita Pimentel-Solano (a/k/a Sandra Baez).<sup>1</sup> Ms. Pimentel-Solano was convicted of Distribution of a Class B Controlled Substance on May 7, 1996 in Dorchester District Court, and sentenced to one year in the house of correction, suspended for one year of probation.

On or about April 24, 2017, Ms. Pimentel-Solano submitted a petition for a pardon. (*Attachment A*). On August 29, 2022, the Board conducted a public hearing regarding Ms. Pimentel-Solano's petition. In her petition and at the public hearing, Ms. Pimentel-Solano requested a pardon for her convictions so that she may seek legal residency in the United States.

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<sup>1</sup> In Ms. Pimentel-Solano's petition, she reported that she uses several names including Zaida Pimentel, Zayda Pimentel, Sandra Mercedes Baez, Stephanie Jordan, Paola Caram-Ibarra, and Carmen Bonilla. For the purposes of this memorandum, she will be referred to as Zaida Mirita Pimentel-Solano, which is the name in which she filed her petition.

After due consideration, the Board voted unanimously to recommend favorable consideration of Ms. Pimentel-Solano's request for a pardon. The reasons for the Board's recommendations are set forth in the body of this opinion.

### **PROCEDURAL HISTORY**

On December 20, 1995, Ms. Pimentel-Solano was arraigned in Dorchester District Court, Docket Number 9507CR8997. She was charged with Distributing a Class B Controlled Substance, Controlled Substance School Zone Violation, and Conspiracy. On May 7, 1996, she pleaded guilty to Distributing a Class B Controlled Substance, and the other charges were dismissed. She was sentenced to a one-year house of correction sentence, suspended for one year of probation. She successfully completed her probation on May 7, 1997, and probation was terminated. Ms. Pimentel-Solano has not sealed her record of conviction. (*Attachment B*).

### **STATEMENT OF THE CASE**

In her petition for a pardon, Ms. Pimentel-Solano provided the following version of events relating to the governing offense. She reported that on the day of her arrest, she called her boyfriend and asked for a ride to work. "He told me that he would take me to work but he had to make a stop on the way . . . We pulled over to the side of the road, and out of nowhere an American man in his mid-30's came out of the darkness and crossed in front of the car . . . He didn't say much to my boyfriend and I do not remember any of the conversation. The meeting was very quick. After the man walked back towards the darkness we drove a little bit down the road . . . two marked police cars turned on their lights." She reported that she did not know her boyfriend was selling drugs before that night. (*Attachment A*, pages 41-44).

The Boston Police Department does not have an incident report on file relating to Ms. Pimentel-Solano's arrest.

**PRIOR CRIMINAL RECORD**

According to the Massachusetts Board of Probation record and the National Crime Information Center (“NCIC”) record, both dated January 21, 2022, Ms. Pimentel-Solano has not been charged with any other offenses in Massachusetts or in any other state. (*Attachment C*).

**PARDON PETITION OF ZAIDA MIRITA PIMENTEL-SOLANO**

On or about April 24, 2017, Ms. Pimentel-Solano submitted a petition for clemency, in the form of a pardon, for Distribution of a Class B Controlled Substance. In her petition, Ms. Pimentel-Solano described the many accomplishments of her four children. She explained that they have had many opportunities in the United States, and that she wishes to remain here so that they can continue to thrive. Ms. Pimentel-Solano stated that her conviction has prevented her from obtaining legal immigration status, without which she has been unable to work legally.

In her petition for a pardon, Ms. Pimentel-Solano described her significant community involvement over the past 20 years. In 2002, she began volunteering for a head start program in Charlestown as a teacher’s assistant. She prepared breakfast for the children, read to them in Spanish, and assisted with teaching parenting skills to the parents. She also spent time helping a student with mental and cognitive challenges. When she had to cut back on her hours to care for her own children, she began watching children from the community whose parents did not have other childcare options.

Ms. Pimentel-Solano reported that she became involved with community outreach programs, initially by attending community events and encouraging others to attend. Eventually she became a community organizer and began leading a program designed to teach skills to families with young children. Ms. Pimentel-Solano later moved to South Boston and became involved with more community programs in that area, including programs designed to encourage

community engagement and voting. She has also helped with campaigning for local leaders. Along with her petition, Ms. Pimentel-Solano submitted a number of photographs and certificates highlighting her community service achievements and the accomplishments of her children. (*Attachment A*).

#### **2022 INTERVIEW OF ZAIDA MIRITA PIMENTEL-SOLANO**

At the request of the Advisory Board of Pardons, Ms. Pimentel-Solano consented to an interview concerning her petition. (*Attachment D*). The interview took place prior to her hearing.

During the interview, Ms. Pimentel-Solano reported that she grew up in the Dominican Republic, where she completed the 6<sup>th</sup> grade. She came to the United States in 1994 at the age of 24. When she arrived, she began working at a cleaning company in Waltham until 2006, when she left to focus on childcare.

Ms. Pimentel-Solano currently lives in South Boston, where she has resided for approximately 12 years. She has four children, two that live with her and two that live on their own. She reported that she is in good health, with no physical or mental health concerns.

#### **PROCEEDINGS BEFORE THE ADVISORY BOARD**

On August 29, 2022, the Advisory Board of Pardons held a public hearing on Ms. Pimentel-Solano's pardon petition. The hearing was chaired by Gloriann Moroney. Advisory Board of Pardons Members Charlene Bonner, Maryanne Galvin, Tina Hurley, and James Kelcourse were also present at the hearing. Ms. Pimentel-Solano was represented by Attorney Daniel Gallant and used the services of a Spanish interpreter to address the Board.

#### **THE BOARD'S INQUIRY**

##### **SOCIAL HISTORY**

Upon inquiry by the Board, Ms. Pimentel-Solano provided information concerning her social history. She told the Board that she was 24 years old when she came to the United

States, and is now 52. When she came to this country, she left behind her entire family, including ten siblings, in the Dominican Republic.

Ms. Pimentel-Solano told the Board about her four children and their many accomplishments. Her oldest son works at a hospital, and her oldest daughter works in the medical field. Her second daughter is a college student, and her youngest son is in high school. She also has three grandchildren. Ms. Pimentel-Solano also spoke about her meaningful volunteer work in her community. The Board noted that her service to the community has been remarkable, and that Ms. Pimentel-Solano is an appropriate candidate for a pardon.

#### **GOVERNING OFFENSE**

The Board inquired about the offense for which Ms. Pimentel-Solano seeks a pardon. She stated that she was in the wrong place when this happened. She was going to work and accepted a ride; she never thought there would be any problems. She told the Board that she never had issues with anyone, and was always focused on work and helping her family. Ms. Pimentel-Solano stated that she didn't know why her boyfriend stopped the car, that he met with someone and then the police started chasing them. When they were arrested, she gave the police the false name Sandra Baez. She couldn't speak English, and she was appointed an attorney who suggested that she plead guilty. Ms. Pimentel-Solano told the Board that she didn't realize that her plea would affect her legal residency until many years later.

#### **VICTIM IMPACT**

No victim impact statements were provided to the Board.

#### **PRIOR CRIMINAL HISTORY**

Board members noted that the governing offense is the only entry on Ms. Pimentel-Solano's criminal record.

## COMPELLING NEED FOR A PARDON

Ms. Pimentel-Solano told the Board that because her conviction involves a violation of the Controlled Substances Act, she could be deported at any time. Her wish is to become a legal resident of the United States. She stated that she thinks about her immigration status every day. Because of her conviction, she has been unable to travel to reunite with her siblings and other family members, who she has not seen in over ten years.

Ms. Pimentel-Solano and her attorney informed the Board that she has been offered jobs at more than one organization, but has had to turn them down due to her immigration concerns. Although she has contributed greatly to her community, she has been living her life “hiding in the shadows” due to her immigration concerns. A pardon would afford her the opportunity to take a paid job, which would improve her quality of life.

Ms. Pimentel-Solano has spent much of her life volunteering in her community. One program she has participated in is the Smart from the Start program, which helps families break the cycle of poverty and assists with educational resources. She has received many certificates of appreciation from various organizations for her work. She has provided letters from community organizers and her children outlining her tireless and selfless work. Her attorney pointed out that she will be able to give even more to the community if she receives a pardon.

## SUPPORT

### SUPPORT TESTIMONY

The Board heard from the following three individuals in support of Ms. Pimentel-Solano’s petition for a pardon:

#### **Charlene**

**Adames-Pimentel** Ms. Adames-Pimentel, Ms. Pimentel-Solano’s daughter, testified in support of her mother’s petition for a pardon. She told the Board that she is a student at UMass Boston, and that she has travelled to Morocco twice. She told the

Board about an incident when her mother couldn't board a plane due to the possible consequence of being deported. She stated that she doesn't want her mother to continue living in fear because of her immigration status.

**Milenis**

**Cervallo-Pimentel** Milenis Cervallo-Pimentel, Ms. Pimentel-Solano's daughter, testified in support of her mother's petition for a pardon. She told the Board that she graduated from Northeastern University and is pursuing a doctorate at Boston College. She described her mother as selfless, and told the Board that she came to the United States because she wanted a better life for her family. Her mother feels stuck due to her immigration status.

**Angel Sheppard** Angel Sheppard, Ms. Pimentel-Solano's daughter's boyfriend, testified in support of Ms. Pimentel-Solano's petition for a pardon. He is a firefighter for the City of Boston. He described Ms. Pimentel-Solano as selfless with her children and discussed her work in the community.

**SUPPORT LETTERS**

In advance of Ms. Pimentel-Solano's hearing, the Board received 13 letters of recommendation in support of her pardon petition. (*Attachment A*, pages 18-38):

**Griselle Tejada** Griselle Tejada, Education Coordinator of the John F. Kennedy Family Service Center in Charlestown, submitted a letter dated August 3, 2016 in support of Ms. Pimentel-Solano's petition for a pardon. This letter stated that over the years Ms. Pimentel-Solano worked hard to serve children and families in the community. She assisted in a number of roles, including meantime preparations, helping children in need of individual attention, acting as a positive role model, and serving on the parent policy council. She was described as "a woman that wants to better herself, family and the community in which she lives," with an "unblemished reputation."

**Samuel Hurtado** Samuel Hurtado, Executive Director of South Boston en Acción, submitted an undated letter in support of Ms. Pimentel-Solano’s petition for a pardon. Mr. Hurtado described how Ms. Pimentel-Solano initially came to the organization looking for information about community services for her family and later became involved with community meetings and volunteering. He described her as “an extraordinary mother and community member” and stated “I strongly believe that if more people were like Ms. Pimentel, our society would be a lot better.”

**Cherie Craft** Cherie Craft, CEO and Executive Director of Smart from the Start Inc., submitted a letter dated November 30, 2016 in support of Ms. Pimentel-Solano’s petition for a pardon. She described Ms. Pimentel-Solano as “an outstanding parent, leader and member of the Boston community.” She stated that Ms. Pimentel-Solano is raising outstanding children and has been an amazing support to other mothers in the community through countless hours of volunteer work.

**Anna Barto** Anna Barto, Program Coordinator of Smart from the Start Charlestown, submitted a letter dated April 6, 2016 in support of Ms. Pimentel-Solano’s petition for a pardon. Ms. Barto stated that Ms. Pimentel-Solano became involved in the program early on with her children and quickly became a leader who was chosen to represent the organization city-wide. Even after her children graduated from the program, she continued to volunteer every week facilitating play groups, doing community outreach, and providing childcare. Ms. Barto described the accomplishments of Ms. Pimentel-Solano’s children and expressed how they would be negatively impacted if their mother were forced to leave the country.



**Jessica Roth**

Jessica Roth, MD, Ms. Pimentel-Solano's family pediatrician, submitted a letter dated November 28, 2016 in support of Ms. Pimentel-Solano's petition for a pardon. Dr. Roth described Ms. Pimentel-Solano as a "caring, attentive parent who has raised four wonderful children" and who is "supportive in her community, volunteering at her children's schools, and helping out in her neighborhood."

**Milenis**

**Cevallo-Pimentel**

Milenis Cevallo-Pimentel, Ms. Pimentel-Solano's daughter, submitted a letter dated January 23, 2017 in support of her mother's petition for a pardon. Ms. Cevallo-Pimentel wrote about living in Charlestown with her mother as a child, the significance of a trip they took to the Dominican Republic, and how the loss of her grandmother affected their family. She described her success as a scholarship recipient and graduate of Northeastern University, and explained how her mother came to this country to give her children a better future.

**Charlene**

**Adames-Pimentel**

Ms. Adames-Pimentel, Ms. Pimentel-Solano's daughter, submitted a letter dated May 24, 2016 in support of her mother's petition for a pardon. She explained how important her mother is to their family and the difficulties they would face if her mother were deported.

**Jadi**

**Pena-Pimentel**

Jadi Pena-Pimentel, Ms. Pimentel-Solano's son, submitted a letter dated March 1, 2017 in support of his mother's petition for a pardon. He explained that if she were to be deported, it would create an extreme hardship for their family. He also described how difficult it has been for his mother to be separated from her family in the Dominican Republic for so many years without being able to visit.

**Sadiel**

**Adames-Pimentel** Saidel Adames-Pimentel, Ms. Pimentel-Solano’s son, submitted a letter dated April 3, 2017 in support of his mother’s petition for a pardon. He expressed his love for his mother and wrote about how important it is for her to stay in this country to take care of him.

**Atmet Sita Cepeda** Atmet Sita Cepeda submitted a letter dated October 4, 2016 in support of Ms. Pimentel-Solano’s petition for a pardon. Ms. Cepeda stated that she has known Ms. Pimentel-Solano for 18 years as a neighbor and partner in a community action group. She described Ms. Pimentel-Solano as “a very good neighbor, friend and mother.”

**Kenia Baez** Kenia Baez submitted a letter dated September 11, 2016 in support of Ms. Pimentel-Solano’s petition for a pardon. She stated that Ms. Pimentel-Solano is an “exemplary mother who has educated her children very well and put them on the right track” and an “honorable, hard working woman.”

**Altagracia Zabala** Altagracia Zabala submitted a letter dated November 1, 2016 in support of Ms. Pimentel-Solano’s petition for a pardon. This letter stated that Ms. Pimentel-Solano is always there to serve the community and help people with things such as childcare or voting.

**Yuberquis Pena** Yuberquis Pena submitted an undated letter in support of Ms. Pimentel-Solano’s petition for a pardon. This latter describes Ms. Pimentel-Solano as a “very responsible and hardworking person” who “has never had problems in this country.”

**OPPOSITION**

**OPPOSITION TESTIMONY**

No individuals testified in opposition to Ms. Pimentel-Solano’s petition.

## **OPPOSITION LETTERS**

No letters were submitted in opposition to Ms. Pimentel-Solano's petition.

## **OPINION OF THE ADVISORY BOARD**

### **FAVORABLE RECOMMENDATION**

After careful review and consideration, it is the opinion of 5 of the 5 voting members of the Advisory Board of Pardons that a favorable recommendation for a pardon be sent to the Governor on behalf of Ms. Pimentel-Solano.

Governor Charles D. Baker's Executive Clemency Guidelines, issued on February 21, 2020 ("Guidelines"), establish the grounds upon which a pardon may be granted and provide assistance to the Advisory Board of Pardons in making recommendations to the Governor on clemency petitions. The Guidelines state that a pardon is "an extraordinary remedy which has the effect of treating the petitioner as if the offense had never been committed." The Guidelines further provide that "[pardons are] intended to remove the barriers that are sometimes associated with a criminal record, thereby facilitating the reintegration of the petitioner into his or her community." The Guidelines state that the nature and circumstances of the offense and the character and behavior of the petitioner are the two "paramount considerations in deciding whether to grant clemency."

Under the Governor's Guidelines, a person who petitions for a pardon bears the responsibility of demonstrating, by clear and convincing evidence, that:

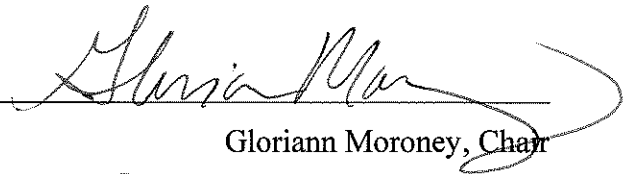
- (a) The petitioner has clearly demonstrated an acceptance of responsibility for the offense for which the petitioner is seeking clemency;
- (b) the petitioner does not have any pending appeals or challenges to a conviction or sentence;
- (c) the petitioner has made full restitution to his or her victims, in the event of economic injury;

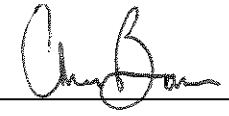
- (d) the petitioner has made exceptional strides in self-development and self-improvement and would be a law-abiding citizen;
- (e) the petitioner has provided substantial assistance to law enforcement in the investigation or prosecution of other more culpable offenders;
- (f) the petitioner has contributed to society through the military or public service, or through charitable work;
- (g) the petitioner has demonstrated a period of good citizenship by “leading a responsible and productive life and contributing to [his or her] community in a positive manner” for more than ten years following a felony conviction, “without the structure provided by government supervision,” such as probation or parole;
- (h) there is no alternative remedy available to the petitioner.

Ms. Pimentel-Solano was convicted of distribution of a Class B substance out of Dorchester District Court in 1996. She completed probation without issue. She presents an extremely compelling petition and demonstrated exceptional community involvement as confirmed by multiple supporters. She reported that she turned down multiple professional opportunities out of concern for her immigration status. She is the single mother of four children, all of whom are exceptionally accomplished and supportive of their mother. She was candid about the circumstances that led to her conviction, namely that she was present in the vehicle when her boyfriend was selling drugs. She has demonstrated a compelling need that a pardon will address her immigration, professional, and personal hurdles.

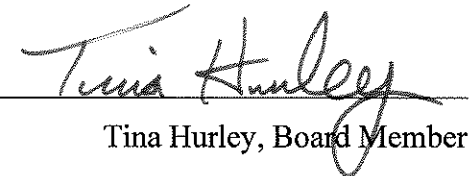
Therefore, the Board recommends that a pardon be granted.


For the five members of the Advisory Board of Pardons respectfully recommending favorable consideration, signed on this the 17<sup>th</sup> of October, 2022:

  
Gloriann Moroney, Chair

  
Charlene Bonner, Board Member

  
Maryanne Galvin, Board Member

  
Tina Hurley, Board Member

  
James Kelcourse, Board Member