

Fayola McIntosh
OAD's 2019 Beacon of Hope Award Recipient

Fayola McIntosh is the proud mother of a 22-year-old son. She works as a gas mechanic for Con Edison. She holds an Associate's Degree from Nassau County Community College, and she is currently in the process of applying for a degree in engineering management.

But in 2006, Ms. McIntosh was charged with Assault after an altercation in a Manhattan nightclub.

Ms. McIntosh was tried twice: the first trial ended with an acquittal on Assault 1 and a hung jury on the remaining charges; and the second trial ended with an Assault 2 conviction and a 5-year prison sentence.

When OAD was assigned to her appeal, Ms. McIntosh had only served approximately 8 months in prison because she was out on bail throughout the pre-trial and trial proceedings. Ms. McIntosh worked as a union construction worker during the pendency of her case, including both trials.

When OAD secured her release on bail pending appeal, Ms. McIntosh returned to her construction job. She continued working there through the appellate proceedings.

OAD filed a successful appeal on Ms. McIntosh's behalf in the First Department, but, unfortunately, the Court of Appeals reversed that decision in a heartbreaking 4-3 loss. As a result, Ms. McIntosh was required to return to prison and complete her sentence.

Once she was back at Bedford Hills Correctional Facility, Ms. McIntosh took advantage of every opportunity. She worked in the nursery, taking care of babies that were born in prison, and she completed various educational and training programs, including college courses. Indeed, Ms. McIntosh did so well in prison that she was awarded additional merit time that allowed her an earlier release from a violent felony (a rarely awarded privilege).

After her release, Ms. McIntosh went back to construction for a little while and then applied for a job as gas line worker with Con Edison. Initially, her job application was denied, and she was told that it was because of her criminal record. Ms. McIntosh contacted OAD and we connected her with the Community Service Society, who, relying on the then-new City Human Rights laws preventing discrimination based on prior conviction, explained that Ms. McIntosh's convictions were unrelated to her ability to do the job for which she applied. OAD also wrote a letter in support of her application. Ultimately, Con Edison agreed and offered her the job. Ms. McIntosh has worked as a gas mechanic at Con Edison since 2016, and just this spring was promoted to the "top level in [her] trade, which is an A Mechanic in the company!"

Ms. McIntosh is lucky to have the love and support of not only her son, but also her mother, who all live near one another.