

JUSTICE FOR PAUL HOWELL

LEARN THE FACTS.
DISCOVER THE TRUTH.
SEEK JUSTICE.

Senator George E. Young, Sr.,

We are sending you the same letter that we sent to a number of faith leaders who were hosting Julius Jones events. As you are acquainted and no doubt comforted by scripture, we thought we would leave the verses in. It dawned on us, after reading many of your comments and your letter of support for Julius Jones, that you really were not familiar with the facts of this case.

If you would like to review the transcript to be accurate, please reach out to us, the Attorney General or the Oklahoma County District Attorney. You can also look at the website created by those that loved Paul at www.JusticeforPaulHowell.com. It's not super fancy, we don't have out of state anti-death penalty or California 501 c 3 funding, but it contains the facts, complete with citations to the record, free of innuendo.

Unfortunately, the Jones campaign has been busy making lots of misrepresentations. Just this weekend there were posts and articles disparaging the Attorney General's Office for seeking an execution date, when in reality, the execution date issue was only set because Julius Jones's refused to state an alternative at the federal level. Jones' execution date order was set due to when his appeals were exhausted, it had nothing to do with the commutation hearing. The Attorney General and the Oklahoma Court of Criminal Appeals are merely following the law, i.e. a federal order, necessitated by Julius Jones's choice.

In your letter to the Governor, you state that "I tried my best to become educated about this particular case." You then set forth three points. Each of your three points are inaccurate. As we believe that the truth is imperative and important to you, we thought you should know 1.) that a juror NEVER reported to the judge that the N word was used and that not a single juror ever heard such a remark (please see below) 2.) that the co-defendant did not match the description of the shooter. Paul's sister, Megan, specifically testified that the shooter DID NOT have cornrows (the co-defendant did). As described by the Tenth Circuit, she "could see 'about half inch an inch to an inch' of the man's hair between his stocking cap and 'where his ear connect[ed] to his head' Trial Tr. Vol. 4, at 117:4-5, 16 but she didn't see braids or corn rows." Megan's description that the shooter's cap was pulled down such that she could only see approximately half an inch of hair about his ears is in no way inconsistent with Julius Jones being the shooter. (It is extremely important to note that Julius Jones was disguised in this exact same manner six days prior to the murder when he robbed a physician of his Mercedes at the Hideaway. The physician identified him out of a line-up and multiple times in court. Jones also brandished what was described as a small caliber handgun in that robbery. The physician's Mercedes was found parked outside of Jones' Norman apartment. Jones pled guilty to that robbery). 3.) The Court of Criminal Appeals, the Western District, the Tenth Circuit, and even the trial court in an evidentiary hearing ruled that Jones's trial attorneys were not ineffective, each court found that they exercised sound trial strategy. You can google David McKenzie and Malcolm Savage. They have won numerous awards, one has been a judge and the other currently sits on the Oklahoma Bar Associations Board of Governors.

Your request that the case be scrutinized because of “verified prosecutorial misconduct and just plain mistakes of the then District Attorney who handled this case” is perplexing. Wes Lane was the District Attorney when this case went to trial. Mr. Lane had been a career prosecutor with over two decades worth of prosecuting experience. He was appointed in July of 2001, eight months before the case went to trial in February of 2002. We were unable to locate the studies that you referenced involving Wes Lane conducted by Harvard Law School. We assume that you were **incorrectly referring to Bob Macy**, he never once made a court appearance on this case. You can verify that by a quick review of the docket on OSCN.net.

It is always important to hear both sides of a story. In this day and age, it has become increasingly common for individuals to go their corners and not engage in productive discourse. Please “learn the facts, discover the truth, and seek justice” at www.JusticeforPaulHowell.com.

“Any story sounds true until someone tells the other side and sets the record straight” Proverbs 18:17

Numerous groups and individuals supporting Julius Jones have presented a shockingly deceptive narrative to the public in an attempt to undermine confidence in our judicial system. They have made headline worthy allegations of racist behavior by the prosecutors on this case and a juror. A neutral and thorough review of the record does not support such allegations. Additionally, numerous factual representations in the case have also been made. Enclosed please find the District Attorney’s and Attorney General’s response to Jones’ Commutation Application which addresses fact issues.

Racializing the Case

Julius Jones has made several allegations regarding the tainting of his trial by racism. Such allegations are serious matters and should be carefully and thoroughly considered. Some of Jones’ allegations are clearly indefensible, because they had never been made until the airing of “The Last Defense” and lack much specificity. However, the following two allegations are often repeated by spiritual leaders and anti-death penalty supporters to the press and in letters to the Governor and the Pardon and Parole Board.

- 1.) Jones’ maintains that prosecutors violated the law by striking African American jurors because they were African American and that the Court permitted such behavior:

“That African American jurors were struck by the prosecution for various reasons, like the person was a crime victim or knew someone in law enforcement, but white jurors who had those issues were allowed to sit on the jury.” (Direct quote from Dale Baich, Jones Assistant Federal Defender in “The Last Defense, The Trial”).

Dale Baich’s statement on national television was dishonest and unethical. It was a lie, unsupported by the voir dire transcript. Two of the three black jurors excused by the prosecution from the initial panel were removed because they failed to disclose that they had been charged with criminal offenses when asked, i.e...they lied under oath.... clearly a race neutral reason for excusal. A white juror was removed from the jury for the very same reason. A nineteen year old African American juror was excused because she was sleeping during voir dire and was mildly opposed to the death penalty, also a race neutral reason. (Volume 3 Transcript of Jury Trial, 2/13/02 Pgs. 207-211).

- 2.) Another oft inaccurate repeated claim on both the petition, letters of support, and “The Last Defense” is that a juror told Judge Jerry Bass that another juror had made the comment that, “they should just take that n****out and shoot him behind the jail.”

This claim is absolutely false. Judge Bass was never told that such a statement was made. It is not supported by the record nor by a single other juror. Additionally, this juror has since admitted that she did not make this statement to the Court. The juror has told four different accounts of this story.

A.)The juror informed the court during the sentencing stage at the end of the day on February 27th, 2002 that she thought she had heard another juror earlier in the day say “they should place him in a box in the ground for what he has done.” (Volume 12 Transcript of Trial, Pg. 96 lines 1-2). She additionally testified that the statement had been made in the jury room with 8 to 10 jurors present. (Volume 12 Transcript of Trial Pg. 96 lines 6-20). The following day, Judge Bass individually questioned each juror about the remark and whether they had heard anyone on the jury “express an opinion outside of this courtroom as to the appropriate punishment”. Not a

single indicated that they had heard such a remark or heard anyone express an opinion regarding punishment. (Volume 13 Transcript of Jury Trial, 2/28/02 Pgs. 29-70). After questioning each juror, Judge Bass asked the juror making the allegation a few more questions. The juror admitted that she “didn’t hear part of the bigger conversation” and that it was possible that the conversation didn’t have anything to do with the case and that she had just “assumed” that it did. (Volume 13 Pg. 74, lines 8-25 and Pg. 75, line 11).

B.) Fifteen years later in a FB message while chatting with a defense investigator the same juror stated, “During the trial I was the juror who went to the judge with the comment from another juror about how it was all a waste of time and that they should just take the n***out and shoot him behind the jail.” (Jones’ Commutation Application, Exhibit 22)

C.) On “The Last Defense” this same juror stated that she heard the juror make the n**** comment by the elevators “well before deliberation” and that she reported the offensive comment the next day to the judge. (“The Last Defense, The Fight, 35:39-35:58)

D.) This same juror most recently (likely after having been shown a transcript) stated in an Affidavit presented by the defense that she told someone that she thought was the bailiff about the remark and that she “paraphrased the remark to the judge.” She provided no explanation as to why she would paraphrase such a statement to the Court and the attorneys, yet tell someone she thought was a bailiff. She was given repeated opportunities to state exactly what she heard into the record in chambers. She does state in her affidavit that the evidence against Jones was overwhelming.

This juror has been inconsistent about what was said, where it was said, when it was said, and when she reported it. The Oklahoma Court of Criminal Appeals found her not credible. Stating that a person’s memory does not get fresher over the years and that there was no explanation for the juror not reporting the comment at the time, if it was truly made. Jones supporters are fully aware of these four different stories, yet they post articles, letters of support, and currently have a petition requesting signatures up indicating that a juror told Judge Bass this on the record that the n**** word was used, that he did nothing, and allowed the verdict to be tainted by racism. This is unequivocally a lie.

Jones’s Character

Both the Justice for Julius Campaign and “The Last Defense” have portrayed Julius Jones as an athlete on an academic scholarship at the University of Oklahoma at the time of the murder. This is a fictional portrayal. **Julius Jones was not attending college at the time of the murder. He achieved less than a one point GPA his freshman fall semester, was placed on academic probation at the beginning of the spring semester and withdrew from college on March 26th, 1999, four months prior to the murder.** A letter withdrawing Jones’ financial aid was collected in the search of his bedroom at his parents’ house. Instead, Jones was busy committing numerous crimes during the spring and summer semesters of 1999. At the time of the murder, Jones was a three time convicted felon, with two other felonies and a misdemeanor charge pending in Cleveland County.

Jones was an overachiever when it came to working on his reputation for violence. He pled guilty to another armed carjacking that occurred just six days prior to the murder. That victim positively identified him. Police found that victim’s Mercedes at Jones’ apartment complex. While in the county jail, Jones wrote his girlfriend numerous letters that contained gang slang and threats. Two of the letters contained threats towards his child’s mother claiming, **“Blood...I feel like killing that “Bitch!”** in another letter he wrote that **he might just have to “break that “bitch” in two and take my son.”** In yet another letter, he accused his girlfriend of telling the police about **his plans to shoot or kill a man named Isaiah Smith** and told her to not cooperate if she was called to testify. To this day, Jones prominently displays a large tattoo of **“456% PIRU”** and **“North Side”** on his abdomen and chest. 456 Piru are a subset of the Bloods located in and around North Highlands in Oklahoma City. Surely, you find his threats to kill others disturbing?

People to Whom Christopher Jordan Supposedly Confessed

Christopher Berry and Emanuel Littlejohn, are convicted murderers who were either represented by lead counsel for Julius Jones (David McKenzie) or prosecuted by lead counsel for the State (Sandra Elliott). Christopher Berry viciously poured a scalding hot liquid over an 11 month old child’s genitals before he beat the child to death....he is serving Life without the Possibility of Parole. The other “jailhouse informant,” Emanuel Littlejohn and his co-defendant murdered a convenience store clerk. Littlejohn received the death penalty, his case was reversed, he claimed he was incompetent, he was found

to be competent by a jury, and he was tried again and given the death penalty by a jury for the second time. Sandra Elliott prosecuted him and later testified against him in his competency trial. He hated her with a real passion. It would have been entertaining to watch her cross examine him in front of the jury. He also couldn't even pass a polygraph. In addition to these informants' statements not even being similar, they aren't exactly credible. The eleventh hour jailhouse informant, Roderick Wesley, although not a murderer of people, is nearly as bad. The defense played games with his information. Sitting on it for months and then releasing to The Frontier and then the Pardon and Parole Board the day before the scheduled Stage I hearing. They did not want anyone to have time to find out if Roderick Wesley was credible.....and understandably so.

“Wherefore putting away lying, speak every man truth with his neighbor: for we are members of one another.” Ephesians 4:25

**“No one who practices deceit will dwell in my house; no one who speaks falsely will stand in my presence.”
Psalm 101:7**

“Let no one deceive you with empty words, for because of such things God's wrath comes on those who are disobedient.” Ephesians 5:6

Please carefully review the information contained herein. It is shared in the spirit of fairness and knowledge, not argumentativeness. In a recent interview you indicated that if you could put a message inside a fortune cookie, the message that would put would be “You will encounter more obstacles in life. Fight on!” Losing Paul has been a huge obstacle to those that loved Paul. Fighting on means getting the truth out. Please review the website, you will find that lies have been told about many things. This an important case, not just to Julius Jones, but also to the Howell's. It is important to know and always speak the truth. This is not about politics or someone's platform.

Please ask yourself why lies like these would be told? Please ask yourself if you are comfortable promulgating such lies? If you are involved because you are opposed to the death penalty then just say so, but please do not participate in the spreading of misinformation.

Paul Howell was a wonderful man. He loved his family and was an amazing father, brother, and son. He was involved in his community, helping those who struggled with alcohol addiction. He was an innocent victim and he deserves justice every bit as much as Julius Jones. **If you would like to post or tweet this letter or change the factually incorrect letter that you sent on state letterhead to the Governor, in fairness, that would be great. We understand that you are a busy man and that you likely trusted your sources without independent verification.**

Justice for Paul Howell Coalition