

OKLAHOMA COUNTY
SEVENTH DISTRICT
STATE OF OKLAHOMA



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March 4, 2021

Adam Luck
Pardon and Parole Board Member
2915 Classen Blvd., Suite 405
Oklahoma City, OK 73106

Dear Mr. Luck:

As District Attorney for Oklahoma County, I write to request that you recuse from consideration of the following case currently scheduled for review by the Oklahoma Pardon and Parole Board on the March 2021 Commutation Docket: Offender Julius Jones, DOC #270147 (Oklahoma County Case No. CF-1999-4373).

You have publicly demonstrated your personal bias in regards to this case. On October 17, 2019—two days after Offender Jones submitted his commutation application to the Board—you used your personal Twitter account, @AdmLuck, to “retweet” a post by one of Offender Jones’s most high-profile advocates, Kim Kardashian West (*see* Oct. 17, 2019 Tweet, attached; related Tweets by Ms. West, attached). You made clear in your tweet that you were speaking as “a board member.” In Ms. West’s message, which you appear to be endorsing, she asks her followers to “[p]lease help” by expressing their support for Offender Jones’s commutation by contacting “the Board and @GovStitt.” This same post that you shared with the public also refers the reader to the Twitter account @justice4julius, which proclaims itself to be “The OFFICIAL page of Julius Darius Jones, a wrongfully convicted inmate currently awaiting execution on Oklahoma’s Death Row” (*see* Twitter page, attached), and the website JusticeforJulius.com, a site created to advocate for Offender Jones’s release from prison and to solicit donations from supporters for that cause (*see* Homepage, attached).

The laws and regulations of Oklahoma provide clear guidance regarding the conduct expected by the members of the Oklahoma Pardon and Parole Board. Impartiality is a fundamental and legal obligation for a Pardon and Parole Member. The Oklahoma Constitution, the Oklahoma Ethics Rules, and even the Values listed on the home page of the Pardon and Parole Board website, mandate impartiality:

CONSTITUTION

“It shall be the duty of the Board to make an impartial investigation and study of applicants for commutations, pardons or paroles, and by a majority vote make its recommendations to the Governor of all persons deemed worthy of clemency.”
OKLA. CONST. VI, § 10

OKLAHOMA ETHICS RULE 4.7

“In the event a state officer “determines circumstances would cause a reasonable person with knowledge of all the relevant facts to question his or her impartiality in the matter; the state officer or employee shall not participate in the matter unless he or she is required to do so by law or permitted to do so by these Rules.” 74 O.S. § Rule 4.7

PARDON AND PAROLE BOARD VALUES

“The Pardon and Parole Board strongly believes and is committed to the ethical, unbiased, and professional performance of duties and will continually strive for excellence and fairness by making decisions that maintain a delicate balance between public safety, victim’s rights, and the successful re-integration of the offender.” <https://www.ok.gov/ppb/>

Your actions unmistakably give rise to the appearance of impropriety, if not outright partiality. By publicly endorsing a call for Offender Jones to be recommended for commutation by the Board upon which you sit, it is evident that neither the murder victim’s family nor the State of Oklahoma can receive fair consideration by you in this commutation proceeding. This request for recusal is made to ensure that *all* parties in the justice system are heard and can be afforded an impartial review by the Pardon and Parole Board. It is my hope that you can recognize your ethical and legal duties to the citizens of Oklahoma and will make the decision to voluntarily withdraw your consideration in this case.

Respectfully,



David W. Prater
Oklahoma County District Attorney

cc: Jason Reese, General Counsel to Governor Kevin Stitt
Tom Bates, Executive Director of the Oklahoma Pardon and Parole Board
Kyle Counts, General Counsel to the Oklahoma Pardon and Parole Board