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January 15, 1999

BY HAND DELIVERY

The Hon. James S. Gilmore, III
Governor of the Commonwealth of Virginia
State Capitol
Richmond, Virginia 23219

***Re: Executive Clemency for Mark A. Sheppard
Execution Scheduled for January 20, 1999***

Dear Governor Gilmore:

This letter is presented to you pursuant to Va. Code § 53.1-230, in an effort to obtain executive clemency for Mark A. Sheppard. Mr. Sheppard is scheduled to be executed by the Commonwealth of Virginia on January 20, 1999. To date, Mr. Sheppard's attempts to overturn his capital murder convictions and sentences of death through the available judicial processes have proved unavailing. It is hoped that you will recognize that executing Mr. Sheppard will be patently unjust and will inflict undue pain and suffering on his innocent family and friends, and that his sentence should be commuted to one of life in prison without possibility of parole.

Mr. Sheppard was convicted of capital murder and sentenced to death in connection with the 1993 murders of Richard and Rebecca Rosenbluth, in Chesterfield County, Virginia. There is no debating the horrible impact the deaths of Richard and Rebecca Rosenbluth must have had on

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their respective families and friends, and it would demean them and their undeniable suffering to try to argue otherwise.

So often, executive clemency is withheld for the reason that the survivors of murder victims are somehow entitled to see the death penalty enforced because of the healing or "closure" it will bring to them. However, their pain and suffering unfortunately will not magically end on the morning after Mr. Sheppard's execution. Despite popular psychology buzzwords such as "closure," the fact of the matter is that Richard and Rebecca Rosenbluth's survivors' pain will remain just as intense the morning after Mark Sheppard's execution as it was the day before. They will be just as missed, and their families and friends will feel just as deeply their absence. Nobody will feel any better; nobody will have put the tragic deaths behind them; and nobody will, as if by magic, suddenly be able to "get on with" their life. The only true healer for the survivors, in these situations, is the inexorable passage of time. Whether Mark Sheppard is alive or dead will, in reality, have little to do with the survivors' healing processes or quest for "closure."

Speaking to the relatives and friends of those killed in the tragic crash of TWA Flight 800, New York City's Cardinal John J. O'Connor said, "The pursuit of closure is an elusive pursuit." Putting it more bluntly, an aunt of one of the victims of the Oklahoma City Bombing stated when asked about the government's pursuit of the death penalty in that case, "I'm going to tell you, like I've told every reporter that's asking about closure, there's no such word as 'closure' for someone who's lost family. Closure doesn't happen. I don't know where that word

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came from. It makes me angry when I hear it. The only closure I will ever have is when they close the lid on my coffin."¹

Boxes can close. Doors can close. As anyone knows who has lost family or a friend to death, you cannot close grief. There is no debating that every murder has as its victims, not only the person killed, but also the innocent family and friends that survive. In a civilized society, healing or closure for these innocent victims has to be bigger and better than reducing ourselves to participation in gruesome acts of killing reflecting the conduct we so strongly condemn.

Not only is the concept of "closure through execution" an empty panacea, but what seems to be forgotten when the Commonwealth executes a convicted murderer is the fact that, by killing another human being, the Commonwealth creates a new group of innocent surviving victims. This new group of surviving victims is comprised of the executed person's family and friends. A murder victim's daughter-in-law, who formed a group opposed to capital punishment, put it eloquently when she reasoned, "[h]ow could we stand as murder victims, in our pain and sorrow, and give it to someone else's family as well?"² Similarly, how can we, as a civilized society, condemn murder for the effects it has on victims' families by turning around and inflicting the same undeserved suffering on the innocent families of the convicted murderers?

Even though his sentencing jury was never told about them, Mark Sheppard has a loving mother and siblings. His mother, Mrs. Thelma Thompson of Richmond, has been so devastated by the prospect of her son's execution that she has attempted to avoid learning the status of his appeals and the date upon which he is scheduled to be executed by the Commonwealth. Even

¹ ABC Good Morning America, June 15, 1997 (transcript # 97061505-j02).

² See Laura Myers, Death Penalty Protesters Rally at Capitol, UPI, June 28, 1987, available in LEXIS, News Library, Upstat File.

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more importantly, and although his sentencing jury was not told about them either, Mr. Sheppard has two young children who love him and who look to him for whatever nurturing and guidance he can provide while incarcerated. For example, some time ago when the movie The Lion King was broadcast on network television, Mr. Sheppard watched from his cell on death row while his infant daughter watched at home, and the two of them talked on the telephone during the broadcast so that they could feel like they were watching the movie "together." Even though Mr. Sheppard cannot be a father to his two children in the traditional sense of the role, he is still capable of, and longs to, play a valuable and positive nurturing role in their lives.

The suffering Mr. Sheppard's innocent family and friends will endure if he is executed by the Commonwealth is no less intense, and no less real, than the undeniable suffering endured by the Rosenbluth's family and friends. Moreover, and just as importantly, their suffering will be just as undeserved. The biggest difference is that the Commonwealth of Virginia, through your power of executive clemency, has the capacity to prevent the suffering that will have to be endured by Mr. Sheppard's family and friends. An unwillingness to perpetuate undeserved suffering, rather than turning a blind eye to the consequences of capital punishment on its survivors, should be the hallmark of a civilized society.

In a recent news article, you were quoted as stating that the power of executive clemency operates as a safety valve to ensure that the Commonwealth of Virginia does not execute an innocent person. Since his arrest, and continuing through his trial and to this day, Mr. Sheppard has maintained that although he was present at the Rosenbluth's home at the time they were murdered, he was not a triggerman in those murders. Although Mr. Sheppard has no illusions of being able to convince you of his actual innocence through this clemency petition, suffice it to

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say that in a case where the Supreme Court of Virginia acknowledged that the case against Mr. Sheppard was "wholly circumstantial," see Sheppard v. Commonwealth, 464 S.E.2d 131, 136 (Va. 1991), there are several key facts casting considerable doubt on his guilt. For example:

- The .38 caliber handgun Mr. Sheppard supposedly wielded during the murders was never recovered by the police;
- The Commonwealth "linked" Mr. Sheppard to the .38 caliber handgun used in the Rosenbluth murders in large part through the testimony of two eyewitnesses to an incident at a Days Inn in Richmond, shortly before the murders, where he was supposedly seen in possession of a .38 caliber weapon. At trial Mr. Sheppard denied being present at the Days Inn, and he maintains that denial to this day. In fact, the evidence linking Mr. Sheppard to the murder weapon is seriously undermined by the fact that: (a) at the previous trial of Mr. Sheppard's co-defendant for the Rosenbluth murders, Andre Graham, witnesses Jerry Chappell (the manager of the motel) testified that he could not identify the caliber or type of weapon he supposedly observed³; and (b) if Officer Susan Edwards (the second witness) identified Mr. Sheppard at the Days Inn and ran a check on his identification as she testified at trial, why wasn't he, as a convicted felon, arrested on the spot for violating the conditions of his parole?⁴
- Mr. Sheppard testified at his trial that it was a third individual, a Benji Vaughan, who was present at the Rosenbluth's home and was the second triggerman in the murders. In fact, it is likely that the Commonwealth considered Mr. Vaughan a suspect in the Rosenbluth murders and cut a deal with him in exchange for his testimony at the trials of Mr. Sheppard and Andre Graham.⁵ Mr. Sheppard's attempts to conduct formal discovery through the courts to try and prove these contentions have been met, however, by a flat refusal by the courts to permit him to do so.

³ During Mr. Sheppard's federal habeas corpus proceedings, United States District Judge James R. Spencer found that Sheppard's trial counsels' failure to use Mr. Chappell's testimony from the Graham trial to impeach Mr. Chappell's testimony at Mr. Sheppard's trial -- where he all of a sudden could identify the gun as a gray .38 caliber handgun -- fell below objective standards of effective representation of counsel.

⁴ In fact, during his federal habeas corpus proceedings, Mr. Sheppard sought leave to conduct limited discovery that would allow him to attempt to disprove Officer Edwards' testimony, but such leave was denied. However, it strains credulity to suggest that a highly trained police officer in the Commonwealth of Virginia would permit a convicted felon found in possession of a firearm, in violation of the conditions of his parole, to remain free. If the person at the Days Inn had been Mr. Sheppard, and if Officer Edwards had done what she testified she did, Mr. Sheppard would have been back behind bars at the time the Rosenbluth's were murdered.

⁵ At the time Vaughan testified at Mr. Sheppard's trial, he was incarcerated pending trial on a number of drugs and weapons charges. After he provided testimony at Mr. Sheppard's trial, Vaughan was never tried on those pending charges. Although this corroborates Mr. Sheppard's belief that Vaughan was offered a deal in exchange for his testimony, Mr. Sheppard was never informed of that deal and his efforts to prove this have been stymied. Ironically, although later jailed for committing further crimes, Vaughan escaped custody and, on information and belief, remains at large to this day.

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In sum, Mr. Sheppard has been able to raise serious questions regarding his role in the crimes of which he was convicted.

The Supreme Court is required by statute to conduct a proportionality review of all death sentences to determine whether "the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant." See Va. Code § 17.110.1(c)(2). Your power of executive clemency should also serve as a safety valve to ensure that this goal of "proportionality" is met. In Mr. Sheppard's case, the imposition of the death penalty is strikingly disproportionate in light of the fact that his co-defendant in the Rosenbluth murders, Andre Graham, was spared the death penalty by his jury in favor of a sentence of life in prison. It is incredibly unjust that although Graham was "tried and convicted on charges of capital murder for the same offenses," see Sheppard, 464 S.E.2d at 133, he was allowed to live and Mr. Sheppard now faces execution for his role in those same crimes. This is particularly unjust where the Commonwealth had direct proof of Graham's participation in the crimes, see Graham v. Commonwealth, 464 S.E.2d 128 (Va. 1995), whereas the evidence of Mr. Sheppard's participation was "wholly circumstantial." See Sheppard, 464 S.E.2d at 136.⁶

In fact, this situation bears a striking resemblance to one recently confronted by the Circuit Court of Chesterfield County (the same court where Mr. Sheppard and Graham were tried and sentenced) in the case of Commonwealth of Virginia v. Domica Winkler. In that well-publicized case, the Circuit Court was faced with the same type of striking disparity of sentences

⁶ Mr. Sheppard was not permitted to inform his sentencing jury that Andre Graham had received a life sentence for his role in the Rosenbluth murders. In a case where the Commonwealth sought to convict and execute Mr. Sheppard based upon a theory of guilt by association with Graham, and sought to prove Mr. Sheppard's future dangerousness based on evidence of criminal conduct for which he was never charged or convicted but Graham was, the disparity between the sentences handed down in this case is all the more inequitable.

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handed down to co-participants in the same gruesome murder; the jury in Ms. Winkler's case recommended the death penalty, and the jury for a co-defendant, Tracy Bitner, subsequently recommended life in prison. Although allegations of racial bias were raised in the media (Ms. Winkler is African American, and Ms. Bitner is Caucasian), the trial judge dismissed those allegations at Ms. Winkler's sentencing proceeding. Nonetheless, Circuit Judge Herbert C. Gill recognized the obvious inequity of executing one co-defendant while another convicted of the same crimes is allowed to live, and refused to impose the death penalty upon Ms. Winkler. In so doing, Judge Gill stated:

I do not think for a minute that the persons in this jury regarded race or sex, as any reason for returning the verdict that it did. I do not feel for one minute that this jury did what it did based on race or sexual orientation.

This has been particularly a difficult case and I think the lawyers have pointed out the difficulty in this case because you have two other defendants who were prosecuted under basically the same law with different results. I have listened to the evidence certainly in this case. I have reviewed the evidence in the two other cases. There is no question that this was a heinous crime.

* * *

Upon review of the evidence, the Court is of the opinion after reviewing the evidence in all the cases that the rules of justice would have this court for good cause shown set aside the sentence of death and impose a sentence of life in prison.

See Transcript of Sentencing Proceedings in Commonwealth v. Winkler, at pp. 70-72 (attached as Exhibit 1). There can be no question that, in that case, Judge Gill did the right thing. Despite the striking parallels to the Winkler case, the courts have failed to do the right thing in Mr. Sheppard's case. Allowing Mr. Sheppard to be executed for his role in the Rosenbluth murders, when his co-defendant Andre Graham was sentenced to life in prison for his role in the same crimes, will only reinforce the notion that capital punishment is imposed in an arbitrary and capricious manner and that, in the Commonwealth of Virginia, people are being executed in

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violation of the Eighth Amendment's prohibition against cruel and unusual punishment. You now have the opportunity to use your powers of executive clemency to avoid that freakish and unfair result in this case.

In the same news article referenced above, you were also quoted as saying that capital punishment "makes sure there is not going to be another victim [of the convicted murderer] someplace, ever." There can be little doubt that the citizens of the Commonwealth of Virginia will not be an iota safer the day after Mr. Sheppard's execution than they were the day before. While incarcerated, Mr. Sheppard has not posed a threat to anyone, either behind bars or otherwise. In fact, Mr. Sheppard has dedicated his time on death row to the formation of an organization whose dual goals are to assist in educating inmates so that they can be productive members of society upon their release and the education of young African Americans on the street who may be at risk of falling into a pattern of criminal behavior.⁷ If Mark Sheppard's death penalty is commuted, and he is allowed to live out the rest of his natural life behind bars with no possibility of parole, he will pose no future threat to society and he will be able to continue his efforts to make a positive contribution. He can serve as a better deterrent to crime alive than if he is executed.

While deliberating whether to impose the death penalty, Mr. Sheppard's jury sent a question into the trial judge inquiring whether a sentence of life in prison meant that Mr.

⁷ Attached as Exhibit 2 is a copy of a December 18, 1998 letter sent by Mr. Sheppard to several Richmond area clergy (as well as others). In this letter, Mr. Sheppard details his efforts to establish this organization and the reasons behind its formation. Although at first reading some may find the Afro-centrist ideas expressed in Mr. Sheppard's letter needlessly alarming, the central theme of his efforts -- that the African-American community must unite within itself to break the cycle of violence and despair -- are laudable and widely-shared.

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Sheppard would have no possibility of parole. See Trial Transcript at p. 1644. Because of the state of the law at the time, the trial judge was not required to answer the jury's question affirmatively, and he merely told the jury that they were not to concern themselves with that issue. In light of this question, there is a substantial likelihood that, if his jury had been told that a sentence of life in prison carried with it no possibility of parole, Mr. Sheppard would not be facing execution on January 20, 1999. As a consequence of changes in the law requiring truth in sentencing, if Mr. Sheppard were tried today and his jury returned the same question, they would have to be told that "life means life." Mr. Sheppard cannot avail himself of the changes in the law in the courts due to strict application of the "new rule doctrine" created by the Supreme Court of the United States; however, you are free to consider the jury's question – and what the answer would have been to that question if the trial judge had been free to give it – in determining whether to grant executive clemency. By commuting Mr. Sheppard's death sentence to one of life in prison without possibility of parole, you have the power to impose the result that likely would have occurred if the jury had been told that "life means life."

If Mr. Sheppard is denied relief by the Supreme Court of the United States, his life will be in your hands. You have the power to let him live out the rest of his life behind bars, where he will pose no threat to anyone and he can continue to try to have a positive effect on society. More importantly, you have the power to end the terrible cycle of suffering that began with the senseless murders of Richard and Rebecca Rosenbluth by granting executive clemency and preventing Mr. Sheppard's family and friends from becoming the next innocent victims. We respectfully urge you use that power and prove that we are, indeed, a civilized society that does not need to respond to violence with violence.

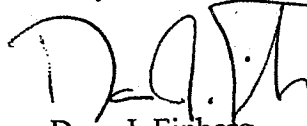
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We, as well as members of Mr. Sheppard's family, would welcome an opportunity to meet with you and the members of your staff to discuss the issues raised in this request for executive clemency, should you feel that it is appropriate. Thank you for your careful consideration.

Very truly yours,



Dana J. Finberg

DJF/

128797

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF CHESTERFIELD

* * * * *

COMMONWEALTH OF VIRGINIA, *

Commonwealth, *

vs. *

DOMICA WINCKLER, *

Defendant. *

* * * * *

COPY

JUDGE: HONORABLE HERBERT C. GILL

DATE: APRIL 30, 1998

TIME: 2:00 P.M.

LOCATION: CHESTERFIELD CIRCUIT COURT
9500 COURTHOUSE ROAD
CHESTERFIELD, VIRGINIA

REPORTED BY: MELISSA H. TUGGLE

EXHIBIT

1

1 of law. This is not the first decision I've
2 made in this regard. So I want you all to
3 understand that although I know it's
4 emotional and I know it means a whole lot to
5 all of you in particularly Domicia Winckler, I
6 will not and cannot as the head of this Court
7 allow any emotion or any outbursts in the
8 courtroom. Please conduct yourself
9 accordingly.

10 This court has reviewed this case from
11 every perspective. It has reviewed the case
12 again from the law that it was given and it's
13 convinced that the law that was given was
14 properly given and that the jury was properly
15 instructed as to the law of this state. This
16 court recalls that the jury listened
17 attentively and rendered a verdict that it
18 thought was a proper verdict under the law.

19 I do not think for a minute that the
20 persons in this jury regarded race or sex, as
21 any reason for returning the verdict that it
22 did. I do not feel for one minute that this
23 jury did what it did based on race or sexual
24 orientation.

25 This has been particularly a difficult

1 case and I think the lawyers have pointed out
2 the difficulty in this case because you have
3 two other defendants who were prosecuted
4 under basically the same law with different
5 results. I have listened to the evidence
6 certainly in this case. I have reviewed the
7 evidence in the two other cases. There is no
8 question that this was a heinous crime.

9 Ms. Winckler, is there anything you
10 wish to say before the Court makes
11 disposition in your case?

12 THE DEFENDANT: Yes. I just want say
13 to Kathy that I'm sorry for what I did. And
14 how --

15 THE REPORTER: I'm sorry. I can't hear
16 her.

17 THE COURT: Ms. Winckler --

18 MR. BOWEN: Whatever I say I can't
19 bring Stacy back.

20 THE DEFENDANT: But I am sorry.

21 MR. BOWEN: That's all, Judge.

22 THE COURT: Upon review of the
23 evidence, the Court is of the opinion after
24 reviewing the evidence in all the cases that
25 the rules of justice would have this court

1 for good cause shown set aside the sentence
2 of death and impose a sentence of life in
3 prison.

4 The Court will confirm those decisions
5 of the jury and impose 30 years in prison for
6 robbery and ten years in prison for
7 abduction. The Court notes that you have
8 been ably represented by counsel; that you
9 have been present at every stage of the
10 trial. The Court further notes that you are
11 entitled to an appeal. You should consult
12 with your attorney with reference to that.
13 If, in fact, you are -- wish to appeal, you
14 should notify the Court through your
15 attorneys on the very first possible date.

16 Anything further, gentlemen?

17 MR. DAVENPORT: Not by the
18 Commonwealth, Your Honor.

19 MR. CARR: No, sir.

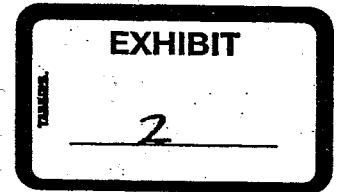
20 THE COURT: Thank you. Sheriff, the
21 Court will stand in recess.

22

23

24

25



December 18, 1998

Rev. Joe Ellison, Jr.
Essex Village Community Church
P.O. Box 31
Highland Springs, Virginia 23075

Dr. Darryl Rollins
Thirty-First Street Baptist Church
823 North 31st Street
Richmond, Virginia 23223

Dr. A. Lincoln James, Jr.
Trinity Baptist Church
2811 Fendall Avenue
Richmond, Virginia 23222

Rev. Arthur S. Jones
Third Street Bethel A.M.E. Church
614 North 3rd Street
Richmond, Virginia 23220

Min. Tracey Muhammad
Muhammad's Mosque #24
100 W. Brookland Park Blvd.
Richmond, Virginia 23222

Min. Ali Shaheed
Muhammad Temple of Islam
4312 Chamberlayne Avenue
Richmond, Virginia 23227

"Our cities are crime-haunting dying grounds.
Huge sectors of our youth and countless others
face permanent unemployment...neither the

courts nor the prisons contribute to anything resembling justice or reformation. The schools are unwilling to educate our children for the real world of our struggles. Meanwhile, the unofficially approved epidemic of drugs threatens to wipe out the minds and strength of our best young warriors. Economic, cultural and spiritual depression stalk Black America, and the price for survival often appears to be more than we are able to pay."

Salamu My Dear Brothers:

The words you have just read were heard during the opening speech given at the National Black Political Convention held in Gary, Indiana 1972. Organized to unite black people in order that they construct healthy remedies to the ills plaguing Black America, the event was a much needed one. The poverty level systematically designed to keep black people stagnated had given birth to huge amounts of crime, a lost and desperate drug culture, and a kind of self-inflicted violence so wretched, that it was viewed as being synonymous with war. Our communities were being destroyed in dramatic fashions and were showing no signs of letting up.

This pass June, another venue structured around the 1972 event took place in Chicago, Illinois at the University of Illinois-Chicago. Unfortunately, nothing has changed since the historical precedent, and the organizers of the Black Radical Congress 1998 made it very clear to all of its participants exactly how sad it was that the same opening speech from the 1972 event could be used to begin any forum discussing the conditions of Black America today.

Within this madness I am not exempt from fault. I shamefully admit the role I played in maintaining the mayhem and chaos that continues to stagnate social and economic growth throughout Black communities nationwide, particularly Richmond's. For me, as it was and still is for so many young Black men (and some young black women too), drug sales and gun violence were a distorted glamorous attraction--a dangerous lifestyle that I had become all too comfortable with, and only those who lived the way I did could understand what all others found confusing.

It took me to smell death, unfortunately, to detox my diluted conscious for peace to introspect and figure out this war and all those who are engaged in it. Although it has been a most dreadful experience, the time had enabled me to realize that living large was only the selfish way of how I viewed the world. Not that living large is a bad thing, but the methods I used to attain that status were of the most destructive intent. Truth be known, for a poverty-stricken people, a relief avenue shortcutting the route to economic stability and comfort, no matter how wrong it may be, is

hopelessly appealing and a very potent alternative opiate.

I have come to the realization that a vast amount of our people, and pretty much all white folk, find it much easier to fear and ignore ghetto rebels (a term that I developed to describe those of us infused in street life) instead of learning to understand them and the iniquity most of them are literally and mentally trapped in. State and Government officials, politicians, police officers, so-called social activist, and even with all due respect, some reverends and ministers all have an opinion about a life they really do not understand, and most of them have tried to simplify it with one sided solutions to this multi-sided problem. The size and complexity of this war is too often underestimated by those who socially convene in skill sessions to end it. Though, instead of creating healthy remedies, they get frustrated and opt to dump on the back-end investment bandwagon into prison construction and support those political puppets who grandstand about being tough on crime, proposing new longer sentencing laws to any and everyone who will listen. The struggle definitely cannot afford back down cop outs such as this if the problem is to be resolved. This brings me to the purpose of my letter.

In January of this year, my comrade, Ras Latrone A. Huggins, and I established the U.B.P.M. (Universal Black Power Movement), an organization structured in Black Nationalism to empower black men and black women ensnared within Virginia prison system--raising a political, cultural, and unified consciousness amongst a lost neglected people. Do to the failure of our elite organizations to successfully include ghetto rebels in the reconstruction plans developed to revolutionize Black America, we both saw the need to make this necessity happen ourselves. What most people fail to realize is that a lot of people do not want to sell drugs, rob folk, or indulge in gun violence in order to survive, but for the majority (as it was for Bro. Latrone and myself), these are the cards the system dealt to us. This is not to say that the system is the sole blame for the destructive acts ghetto rebels inflict upon themselves and their communities. To the contrary and, as a matter of fact, I would be first to admit that when it comes down to consistent efforts toward a wrong-free productive life, we find the availability to survive and excel in the streets a most convenient excuse to give up trying to do the right thing. That is, because "doing the right thing," particularly for those of us with these convicted felon labels, means trying effortlessly to kick down four times the many doors it takes for the average black man--the two-third who are not caught up in the web of the criminal justice system--to create a legitimate opportunity in a society that alienates us on all levels. Since most of us have a criminal past, the odds are disproportionately against us everyday we try to establish ourselves productively in the free world. Unfortunately, a lot of us fail out of frustration, depression, and despair--if we tell the truth on a job application, we don't get hired; if we lie, we may slip through and work for maybe thirty to ninety days as light industrial or labor workers before they find out that we are on parole (thanks to our P.O.S. for calling our jobs trying to

verify employment and the "convicted felon/parole list" made available to employers by the state upon inquiry), then get fired shortly after. Fact is, fifty-three percent of black men in this country between the ages of 21 and 34, prime family formation years, either do not have a job or make too little to support a family. Knowing this, young brothers lose hope for legitimate success at an early age and if the early intervention and prevention programs do not catch them first, the streets and all its distorted glamour definitely will. Again, these were the cards dealt to us by the system.

Make no mistake about it, the U.B.P.M. is not a hate movement promoting race hatred and aggravation, though, we are prejudged as such because of our organization's name and logo. So, I anticipate much resistance to our cause from outside forces. This is so, because, it is almost impossible for black folk to give some preference to themselves in the form of a group, or as individuals for that matter, without it seeming that we hate other people. Economic and educational achievement, cultural cohesion, interdependence, cooperation, political power, respect, and African love are more important to the U.B.P.M. than wasting time talking about how the white man, as a whole, is keeping us down, or how he treats or even feels about us. We already know about these things, and to simply focus on this, we believe, will stagnate our ^{processes} process. This organization is about Africans, and the many issues taking place within our communities and individual lives. We invite every white man, woman and child who want to help fund and create opportunities that either do ~~not~~ ^{don't} work, or exist, to assist us in our mission. However, those white folk who are openly willing to work in Virginia. Nevertheless, the way we see it, this is no one's fight but ours. We are our own responsibility.

IN THE BEST INTEREST OF Ghetto REBELS ARE SCARCE AND RARELY EMERGE

The U.B.P.M. is also not a religious organization, nor do we proselytize individual religious beliefs. However, our essence is a spiritual one. And as we progress as a major vehicle for ghetto rebels to use as a way out of the madness, the spiritual force of The Creator will show in our struggle for the liberation of every black man and black woman caught up in a life of chaos. We realize that many of our people are not trustworthy of organized religion or religiously incline, and those of us who are refuse to unite sincerely to the cause because we allow our religious differences to hinder us from being totally unified and interdependent. The childish bickering that we do amongst ourselves, wrangling over whose religion is the true religion of God, is a disgrace both to Him and ourselves. Since these unnecessary debates will forever keep us divided, we are organized in such a way as to provide for the active participation of all Africans in our programs, despite their religious or non-religious beliefs. This is the art of embracing religious diversity and being universally unified as a people. Both the Bible and the Qur'an teach this.

My entire objective with this letter is to make each of you aware of the efforts being made by the U.B.P.M. and other organizations such as C.H.O.R.E. and the P.O.C.C. that were

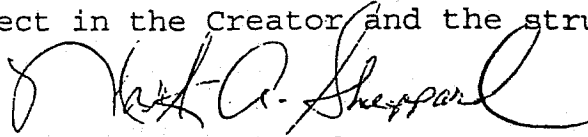
established behind these wretched prison walls to help brothers and sisters redefine their purpose in life, in order that they become productive as individuals and in their communities upon returning to the free world. However, we cannot do this alone. As ambassador of the Universal Black Power Movement, I ask that a collective effort be made by each of you to help us succeed in our goals to create opportunities for ghetto rebels, unify our people amidst religious diversity, and work to close the door to recidivism. One of the reasons why we come back into these warehouses is due to the lack of family and community support. If these brothers and sisters are not recognized and welcomed back home with the unconditional love and support they need to follow their plans and dreams, when things get rough for them, nothing or no one will be there to help them maintain and stay focused. Religious ~~and~~ non-religious affiliation should not even be a question. What should matter is that, as Africans with criminal records, trying to do what is right for ourselves and our communities, infinite support means everything. It is paramount to our success.

My dear brothers, since street crime has now become a profitable commodity in corporate America, there is a business incentive to maintain the madness in our communities by outside forces. This is definitely the work of the devil--and as men of God, neither of you should be afraid of him nor the evil he manifests. The madness of this war is his work at its best. As you may know, evil does exist by nature, and although it cannot be conquered, we, an African people created in the righteous image of the Creator, possess the power to control it. Please do not buy into the propaganda about ghetto rebels being too far gone to save. The U.B.P.M. and the organizations mentioned above are full of brothers who have proven that preconceive notion wrong. Since we are a prison organization, all we need and want is an outside machine to work behind to make things happen for our people coming out of these prisons who aren't getting a fair shake in society.

As for me, if I am lucky, I will spend the rest of my life in this man-made hell organizing and helping ghetto rebels utilize the tools necessary to reconstruct their lives. If not, the State of Virginia will kill me real soon. Since trying effortlessly to prove my innocence has become a moot argument in Virginia State and Federal Courts, devoting all of my time and energy to help and inspire other ghetto rebels to find themselves and help end this war we have waged in our communities is now my number one priority. I believe that this is The Creator's plan for me -- a blessing to use in the uplifting of those travelling on the same path of destruction as I once travelled. I may not live to see the fruits of my labor, but, I sure can smell them taking root, and with your help, I honestly believe what Bro. Latrone and I have established will grow and progress into a successful vehicle that will never break down. I pray that The Creator opens your eyes to my struggle-Psalm 35-and the struggle of the U.B.P.M.-Numbers 14:33. Our hands are reaching out to the righteousness that shines out from within you-Holy Qur'an 2:177.

I look forward to receiving responses from each of you soon.

Love and respect in the Creator and the struggle,



Mark A. Sheppard
Ambassador, U.B.P.M.

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MAS/cs
Enclosure

cc: Bro. Latrone A. Huggins
Bro. Redeem Anthony Amenta
Bro. Marvin Mundy
Bro. Fred Hampton, Jr. (w/enc)
Sis. Akua Njeri (w/enc)
Bro. Sa'ad El-Amin (w/enc)
Bro. James Sheffield (w/enc)
Bro. David P. Baugh (w/enc)
Sis. Gwen Hedgepeth (w/enc)
Bro. Leonidas B. Young (w/enc)
Bro. Michael Paul Williams (w/enc)
Bro. Salim A. Khalfani (w/enc)
Bro. Warren Kennedy (w/enc)
Bro. Hasan Zarif (w/enc)