

November 8, 2005

PETITION FOR EXECUTIVE CLEMENCY

On behalf of

STANLEY TOOKIE WILLIAMS

Respectfully Submitted To The Honorable Arnold Schwarzenegger
Governor Of California



[Clemency] is an act of grace, proceeding from the power entrusted with the execution of the laws, which exempts the individual, on whom it is bestowed, from the punishment the law inflicts

John Marshall, Chief Justice of the United States Supreme Court (1833)

The Honorable Arnold Schwarzenegger
Governor of California
State Capitol Building
Sacramento, California 95814

Dear Governor Schwarzenegger:

This petition asks that you exercise the historic power of clemency, entrusted to you alone, to spare the life of Stanley Tookie Williams.

Stanley Williams grew up on the streets of South Central Los Angeles. He was a founder and leader of the Crips street gang. In 1981, he was convicted of four murders. He was sentenced to death.

At San Quentin, Stanley Williams spent six years in isolation. Alone for the first time in his life, free from the threats and demands of the life he had lived, he looked into himself and found purpose. He openly renounced his prior life and gang violence. He educated himself. He became a messenger of hope, and of the futility and waste of violence. He found his own redemption.

Stanley Williams has become a symbol of hope and purpose to those who most need to believe -- the disadvantaged youth of our great Nation who live with a sense of hopelessness in circumstances which test the human spirit.

Stanley Williams is scheduled to be executed on December 13. We do not know if he fears death. We do know he treasures life and the chance to continue his work.

This petition is about redemption, rehabilitation and hope. It is about a single man, a prisoner for a quarter-century, who found purpose while facing death by execution. It is about trying to do good. It is about the positive impact one man can have on the lives of others, even from death row.

This petition is, in a way, about what America is and what it offers to its people -- the right to strive, to seek and find purpose, to have hope, to put failure and wrongdoing behind in the knowledge that America is a nation which is built on these values and believes in second chances.

This petition is not about the death penalty, or about reversing the judgment of the courts. Nor does it diminish the deaths of Albert Owens, Yen-I Yang, Thsai-Shai Yang or Yee-Chen Lin, or the suffering of the family members and friends who loved them. This petition is about *clemency*. It is about life, compassion and grace. It asks, in the name of so many who see this man as a symbol of hope and purpose in their own lives, what message is sent by his death?

Only one man is empowered to save Stanley Williams and, in the process, to send a message to the world that this State and you, as Governor, share an important vision -- that all people count and can count, that finding purpose gives meaning to life, that through striving we can overcome, and that hope is not an illusion.

Clemency

Clemency is an act of grace, placed outside the judiciary and entrusted to the executive by the Founding Fathers. It does not reverse the judgment of the courts. The late Chief Justice William Rehnquist wrote in 1998:

. . . the heart of executive clemency . . . is to grant clemency as a matter of grace, thus allowing the executive to consider a wide range of factors not comprehended by earlier judicial proceedings and sentencing determinations.

Ronald Reagan was the last Governor of California to grant clemency to a condemned man. That was in 1967. Since then, the clemency power seems to have been all but abandoned in California. This petition asks, if Stanley Williams does not merit clemency, what meaning does clemency retain in this State?

Stanley Williams

Stanley Williams grew up in South Central Los Angeles, a place where the choices and challenges facing young men and women are well documented. Street gangs have long been a part of South Central life and confronted Stanley Williams as a young boy. It is a vicious and cold irony that street gangs, while seeming to offer young men and women a home, an identity, a place of refuge, and a chance to prove their courage and value, in truth destroy the

lives of those same young men and women. Later in life, exposing this truth would become Stanley Williams' message, and it would be heard across the world.

Stanley Williams was drawn to the gang life. In 1971, while still in his teens, Stanley Williams, along with his friend Raymond Lee Washington and others, started their own gang. They called it the Crips. For the next seven years, Stanley Williams lived and embraced the gang lifestyle, the essence of which was proving his worth against rival gangs. In his own words, his lifestyle at that time was despicable.

In 1981, Stanley Williams was convicted of four murders committed in the course of two robberies, sentenced to death, and sent to San Quentin. He entered prison without education, without purpose, and without reason for hope. It had been decided that Stanley Williams was of no value, except to be executed.

Over the next decade, Stanley Williams gave little reason to question that judgment. He did nothing to repudiate his past or grasp the future. His conduct reflected society's expectation of him, and his prison record was a series of alleged infractions, minor and major. Stanley Williams was put in "the hole" in 1988. He remained there for six years, in solitary confinement, until late 1994.

The hole is a prison within a prison. The six years Stanley spent in the hole was an extraordinary length of time. It is difficult to comprehend its impact on a human being. It would no doubt break or embitter many.

It did not break or embitter Stanley Williams. While in the hole Stanley Williams discovered the strength of his own will. He educated himself. He studied the dictionary daily. He read works of history, philosophy, religion and culture -- whatever he could get his hands on. He prayed, both questioning God and looking for answers. He examined his life, and determined that it had been wasteful and wrongful. Through a change of mind and heart, through will, self-discipline and perseverance, Stanley Williams found a purpose. He dedicated his life to doing *whatever he could, from where he was*, to end gang violence and to warn others of the errors of the path he had followed.

Honesty with himself, and a sense of obligation to others gave Stanley Williams -- a man written off by society, condemned to death by the State, and locked in the hole by his jailers -- a purpose and the faith and hope to believe he

could be useful. It gave him the strength to reach out to gang members and others with a message of education, self-discipline and peace.

Stanley Williams has devoted the last dozen years to pursuing this purpose and he has succeeded.

In 1993, while still in the hole, Stanley Williams had the idea of writing children's books that would warn of the dangers of gangs. This must have seemed to others a fantastic -- indeed a ludicrous -- dream. It did not to Stanley Williams. He shared it with a visiting journalist, who had come to interview him for a book about the Crips and the Bloods. He told her that he wanted to write a book to help children and asked for her help. In turn, she challenged him to prove that he was genuine.

At the time, a fragile but very real gang truce was holding in certain parts of Los Angeles. The driving force behind the truce was Tyrone "Tony Bogard" Thomas, a former drug dealer and the founder of Hands Across Watts. Tony Bogard knew of Stanley Williams' past as a founder of the Crips, and knew the journalist. Bogard sent a message to Stanley Williams, asking if he would speak out in favor of the gang truce. In April 1993, while still in the hole, Stanley Williams agreed. From death row he gave a videotaped speech renouncing gang violence which was played as the keynote address at a peace summit held by Hands Across Watts. Over four hundred young men and women attended and heard Stanley Williams stand up for peace. His message was timely, powerful and important.

. . . it is not an exaggeration when I say that the future of this country is literally tied to the success or failure of anti-violence and anti-gang programs . . . and of course all of the peace efforts undertaken by gang members throughout Los Angeles and throughout the nation. But these young minority men . . . cannot do it alone, everyone in this audience must make their contribution to ensuring everlasting peace and prosperity for all.

An excerpt from this speech is included in the DVD submitted with this petition.

The Executive Director of Hands Across Watts wrote of the impact of Stanley's speech and contributions to the gang truce in a 1994 letter to the Associate Warden of San Quentin:

It is hard to overemphasize the impact Mr. Williams has had on the gang truce

Any person who had any knowledge of the streets of South Central would say that this gang truce and its potential for a lasting peace is almost an impossible dream. However, if no effort is made the nightmare is an absolute certainty. Thanks to Stanley "Tookie" Williams, some of us have been able to keep the faith.

In late 1994, Stanley Williams was released from the hole. In the eleven years since, his conduct in prison -- beyond being excellent in terms of meeting prison disciplinary rules -- has reflected his new purpose, and his new expectations of himself.

Books and Talks

After being released to A grade, with the enhanced privileges that brought, Stanley Williams continued his work. It is a struggle every single day to grow up in South Central and other places where poverty too often breeds despair, and gangs offer false hope. To speak directly to these children, Stanley Williams wrote the anti-gang books he first visualized while in the hole. These books share his message of education, self-discipline, peace and true hope.

The books were published in 1996 as a series called *Tookie Speaks Out Against Gang Violence*. The books in the series are: *Gangs and Drugs*, *Gangs and the Abuse of Power*, *Gangs and Wanting to Belong*, *Gangs and Self-Esteem*, *Gangs and Violence*, *Gangs and Your Friends*, *Gangs and Your Neighborhood*, and *Gangs and Weapons*.

In 1998, Stanley Williams published *Life in Prison*, a book for children in their early teens and gang members. Stanley Williams understood that many gang members view prison as a rite of passage, a gladiator school, a place where they can earn their stripes before going back on the street. *Life in Prison* describes what prison is really like. The book portrays prison as what Stanley

Williams knows it to be, a place where no human being should ever wish to be sent. He writes:

In this book I'll tell you how it really feels to suffer a prison sentence. You'll learn that being behind bars does not prove that you're tough, nor does it prove that you're a man Prison is hell. This I know. The true stories I've written in this book are my living nightmares. My greatest hope is that the lessons the stories offer will help you make better choices than I did.

In 2004, Stanley Williams published his memoir, *Blue Rage, Black Redemption*, recounting his life on the streets and transformation in prison. He is currently at work on two new books, *Thoughts of Thunder*, a collection of essays, and *Female Gangs: The Forgotten Gender*. The money from the sale of his books is used to support at-risk youth programs and efforts to keep Stanley Williams alive.

The children's books and *Life in Prison* continue to be taught every day by teachers in California and elsewhere, and read every day by parents and at-risk children. Because of who Stanley Williams was, and who he has become, his voice has unique credibility.

The reach of the books, and the impression they have made upon their readers, is evidenced by the thousands of emails and letters of thanks and support that Stanley Williams has received from students, gang members, teachers, law enforcement and military personnel, and parents.

We have put together what we believe is a representative collection of these emails and letters, which are submitted with this petition in bound form. Attached at the end of this petition are excerpts from just a few of these messages. They are remarkable. There are emails from parents who have lost children, from children whose siblings are in jail, from gang members looking for a way out, and from teachers trying to reach young children. These people see Stanley Williams and find hope and redemption not just for Stanley Williams but for themselves, and for those they love. They are a testament to the power of his message and the value of his life.

In addition to his writings, Stanley Williams speaks from death row to children, at-risk youth, and educators. The impact of these talks is enormous. In April of this year, the Chicago Unified School District held an in-service training session for 25 principals from the most at-risk elementary schools in the district. Stanley Williams called into the training session and spoke with the principals about their problems, his experiences, and his message. The Area Instruction Officer (Associate Superintendent of Schools) of the Chicago Public Schools, Dr. Jim Murray, writes:

Mr. Williams . . . instructed, listened, discussed, prompted, inspired, commiserated and joined this group of educators in their commitment to reach every student in their charge Principals asked questions and their apt attention gave evidence that this man not only has a great deal to share with the 25 educators assembled but with the larger world community This was not only a meeting designed to address ways to support cognition, it went far beyond that. This meeting touched the moral and ethical consciousness of professionals.

Peace Protocol

In 2000, Stanley Williams wrote and made available on the internet the *Tookie Protocol for Peace*. As a former gang leader, he knew that even when gang leaders wished for peace, there were no tools to help them accomplish that goal. The *Protocol* includes sections on establishing and maintaining peace, on education and gang membership renunciation, and on understanding the dynamics of retaliation, as well as a model peace treaty. It is a working manual for achieving gang peace, and is unique in the world as far as we are aware.

In the *Final Note* to the *Protocol*, Stanley Williams writes:

Keep in mind that even the warring souls of gang members yearn for peace but are blind to its path This peace protocol is not the solution. Look in the mirror. There is the solution.

In the spring of 2004, after seeing the movie *Redemption* based on Stanley Williams' life, a group of Crips and Bloods in Newark, New Jersey entered

into a peace treaty based on the *Tookie Protocol for Peace*. One of the gang members involved in this truce, Kevin Tate, speaks about the critical role played by Stanley Williams and his message in the truce, and in his life, on the DVD submitted with this petition.

Recognition and Support

In 2001, Stanley Williams was nominated for a Nobel Peace Prize based on his work to achieve gang peace. He has been nominated every year since. He has also been nominated for the Nobel Prize in Literature on four occasions.

In 2005, he was awarded the President's Call to Service Award, given by the President's Council on Service and Civil Participation to those who have dedicated over 4,000 hours to community service. The letter of award, signed by President Bush, states in part:

. . . we are building a culture of service, citizenship, and responsibility in America that will last for decades to come. Americans continue to serve and are part of the gathering momentum of millions of acts of kindness and decency that are changing America, one heart and one soul at a time. Your actions contribute to this change.

As of this writing, over 30,000 individuals from around the world have signed an online petition supporting clemency for Stanley Williams.

Atonement

Stanley Williams has publicly apologized for his role in gang violence. He has written two open letters to incarcerated youth and an apology to mothers who lost children to gang violence. He has accepted responsibility, repented and done whatever he could, from where he is, to atone.

The following is an excerpt from his 1997 *Apology*:

Today I apologize to you all . . . who must cope everyday with dangerous street gangs. I no longer participate in

the so-called gangster lifestyle, and I deeply regret that I ever did

I pray that one day my apology will be accepted. I also pray that your suffering, caused by gang violence, will soon come to an end as more gang members wake up and stop hurting themselves and others. I vow to spend the rest of my life working toward solutions.

* * *

The District Attorney may say none of this matters. That once a man has been found guilty of murder, retribution is required. But, the power of clemency means more than this, and has from our Nation's birth. We are not asking to overturn the judgment of the courts, but to consider compelling factors outside the purview of the courts. We are asking for an exercise of the power that only you, as Governor, possess. We are asking you to spare a valuable life.

What the District Attorney may not acknowledge is the nature of the evidence against Stanley Williams, who has always asserted his innocence, or the impact of race on the trial.

The case rested on the testimony of claimed accomplices and admitted informants, including a notorious jailhouse informant, all of whom were facing substantial prison time and even death for various offenses, and all of whom received either freedom or vastly reduced sentences for their testimony. The only physical evidence against Stanley Williams was a shotgun in the possession of one of the informants, but registered to Stanley Williams. The prosecution's gun expert found the initial tests he ran comparing shells from this gun to a shell taken from the scene of one of the murders to be inconclusive. Even after being asked by the prosecutor to run additional tests, he testified that only 2 of 18 test shells had similar markings to the crime scene shell.

The United States Court of Appeals for the Ninth Circuit, the highest federal court in California, while denying Stanley Williams legal relief, described the case as:

. . . comprised of circumstantial evidence and the testimony of witnesses with less-than-clean backgrounds

and incentives to lie in order to obtain leniency from the state in either charging or sentencing. (Williams v. Woodford, 384 F.3d 567, 624 (2004))

The Ninth Circuit, explicitly recognizing the difference between its role in ruling on the legal merits, and the Governor's power to grant clemency, went on to say:

We are aware of Williams's 2001 Nobel Peace Prize nomination for his laudable efforts opposing gang violence from his prison cell, notably his line of children's books, subtitled 'Tookie Speaks Out Against Gang Violence,' and his creation of the Internet Project for Street Peace Williams's good works and accomplishments since incarceration may make him a worthy candidate for the exercise of gubernatorial discretion. . . . (Id. at 627)

We have said that race impacted the trial. We do not say this lightly. Stanley Williams' trial was held in Torrance, where less than 1% of the jury pool was black. The prosecutor, who was later severely criticized by the California Supreme Court for engaging in race discrimination in jury selection in two other capital cases, removed the only blacks from Stanley Williams' jury. *See People v. Turner*, 42 Cal. 3d 711 (1986); *People v. Fuentes*, 54 Cal. 3d 707 (1991). This same prosecutor, in closing argument, after a trial in which Stanley Williams was at times shackled in front of the jury, compared Stanley Williams to a Bengal tiger -- equating a black man from South Central Los Angeles to an animal found in the jungle. That type of argument has no place in a courtroom or anywhere else in the State of California. As a state, a nation, and a people, we are better than that.

The District Attorney may say Stanley Williams does not admit guilt and therefore deserves no mercy. This cannot be the standard. No man should be required to give false witness. Indeed, because a confession would be viewed favorably by the prosecution, that Stanley Williams will not seek favor by false confession evidences his strength and character.

The District Attorney may also urge that Stanley Williams, like all prisoners sentenced to death, must be executed as a public example and deterrent to others. There is little, if any, evidence that execution has deterrent effect. If

public example is the issue, the question must be asked what is the example? What message is sent by the execution of a man who has worked so hard and so effectively to persuade others of the futility and wrongness of the life he once led?

We believe the answer is clear.

The death of Stanley Williams will send a message of despair. It will be understood to mean this State does not care about Stanley Williams' message or those to whom it is addressed. His death may satisfy some who are wedded to retribution. But it will do no good.

Clemency for Stanley Williams will send a message of hope to those who live with little hope, and will demonstrate what we believe to be true -- that this State and its Governor recognize their plight and care about their future.

* * *

We end where we began. This is a petition which seeks to spare the life of one man who has lifted himself up from the furthest depths, and whose redemption is a beacon of hope to others. Yet, because that man is Stanley Williams, and because he is a man with a unique voice who is using that voice to send a message of education, self-discipline and peace to the most disadvantaged of Americans, this is a petition which raises other considerations which cannot be ignored.

It is about the very nature of clemency, and whether clemency remains of value in this State, as it was to the Founders when this Nation began.

It is about the message that will be sent to the parents, teachers, gang members, prisoners and children who have found hope for their own lives in Stanley Williams' redemption and message.

It is about the purpose of the prison system as a whole, and whether rehabilitation is just another word or, as you have recognized, is something to be valued and encouraged.

It is about the opportunity for you, as Governor, to send the message that hope lives even in the most difficult circumstances, that striving for good is important, that purpose can be found, and that lives can be changed.

We believe it benefits all people to recognize the power of determination, education and self-discipline, and the sense of worth, purpose and hope brought to those who pursue these goals. We believe that clemency for Stanley Williams affirms the possibilities of life, especially to those who live in circumstances which can be overwhelming. The benefits to our Nation, to this State, and to our humanity would not be small. We are all lifted up by goodness.

Father Gregory J. Boyle, S.J. is, as you know, the Founder and Executive Director of Homeboy Industries, the largest gang rehabilitation program in the United States. His letter to you in support of clemency for Stanley Williams is included in the bound volume submitted with this petition. Father Boyle writes in part:

To exercise your gubernatorial discretion will send a clear message to those thousands who enter our headquarters in Boyle Heights looking to rebuild their lives. Redemption is their only hope in reconstructing lives broken by gang violence. The hope of beginning anew is the bright promise we offer. By exercising your power, you can send the right signal of hope to those for whom hope is foreign. . . .

Your decision to spare Stanley Williams' life will touch that lethal absence of hope in my community. I am confident that you will find the courage it will take to grant this clemency. And may God bless you abundantly as you do.

* * *

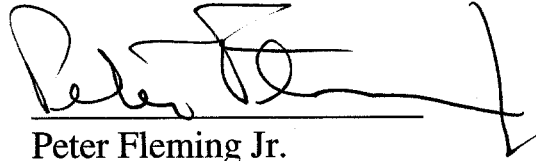
We seek clemency for the man Stanley Williams has become, for the good work he has done, and for the good work he will continue to do.

Stanley Williams stands in the shadow of death. We seek an act of grace.

* * *

We respectfully request a personal meeting with you in which we can answer any questions you may have. And, because we believe Stanley Williams is his own best testament, we encourage a personal meeting with Stanley in your discretion.

Respectfully submitted,



Peter Fleming Jr.

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**EXCERPTS FROM EMAILS
AND LETTERS TO STANLEY WILLIAMS**

Mr. Williams i just wanna thank you. Because I read your book when i was in Detention Home and it really made me think about the choices i was making you help me understand that gangbanging and violence period isn't the way to go So i just wanna thank you. You are an inspiration to me.

* * *

I am an English teacher . . . in Maryland. As part of our memoir unit, I read your book, Life in Prison, to my students. Their response was incredible. Many of them have family members and friends in prison . . . Some of them have even spent time in jail themselves. I believe you have had an overwhelmingly positive and informative message on my students. And for this, I am truly grateful. I love my children dearly and I desperately want them to succeed and stay off the streets and out of jail.

* * *

I'm trying hard not to have a heart filled with hatred. But you see, my son is a victim of crime in the street. Shot and killed for no reason. None at all My son, before he was killed, bugged the hell out of me to purchase your book. I was angry and fighting him on such a book thinking it would corrupt his mind and our teachings. But one day, I looked at the book and began to read it. I found it hard to put down See, I'm a teacher. I work with pre-K (3-5 yrs) children. . . . I'm asked often by co-workers, friends, and my son's friends about living straight Your movie and book has given me a resource for when I'm talking to other parents, I can refer them to your books and movie. Well I think I'm finally getting sleepy. This is one of those sleepless nights that I'm thinking about my son.

* * *

In my work at the school in Central Juvenile Hall in San Bernardino, CA, I have the opportunity to work daily with gang children who are inspired and educated by your work and your example. Each day I read your Letter to Incarcerated Youth and your Letter of Apology. Life in Prison is the top book in our school library and your healing work continues daily to bring the dream of an end to gang warfare into reality.

* * *

mr. williams i just wanted to let u kno u changed my life and my view on gangs. when i thought joining the crips was cool because they got to use guns but after listening to u i realized that gangs were just people dying for no reason other than the fact they think they are the tuffest guys in the world. so once again sir thank u very much.

* * *

Dear Governor Arnold Schwarzenegger . . . I am a Non-Commissioned Officer in the U.S. Army . . . about to be deployed to Iraq, and I want to give you my reasons for supporting clemency for Mr. Williams. Although I support the death penalty in general, I do believe that Mr. Williams should not be executed. He has touched my life . . . His message of peace is truly inspiring. He is making a positive impact on society, reaching out to help end gang violence and show children alternatives for their lives. Surely a man such as this deserves your compassion. As a member of the U.S. military about to go to war for our great country for the second time, I think that you should consider my plea.

* * *

I am a 16 year old kid living in San Francisco, CA. I wanted to personally thank you for saving my life . . . After reading about your life I have quit a drinking problem I have had for awhile . . . Also, you have taught me how to live peacefully and that life is too short to be angry all of the time.

* * *

As a mother, I am grateful to have your books and work here for my son. His father and I both are former gang members, and I truly feel as though if it had been placed to us the way your work does for this generation (the new generation) we may have chosen different. I don't know what may have happened. But I do believe we all have a path to walk in life and I am so glad my son has the opportunity to read your books along his path. I would rather him read your books than about a cat in a hat, whereas your books teach him something he can hold onto throughout his path.

* * *

As a probation officer, I recommend to the juveniles that I deal with, that they read your books The youth of today's society need people like you in their lives. I've always looked at my job as, "If I can change the life of one child, then I have done my job."

* * *

*I am a Juvenile Police Detective in Texas. I deal with young offenders on a daily basis. I have read your book *Life in Prison* and I want to thank you for such an honest account and no sugar coating in your book. I will take your book and I will have every young offender and gang member I deal with read your book.*

* * *

*I am a special education teacher . . . in Pennsylvania. Our school mainly deals with children who have emotional and behavioral disorders My class has just finished reading your book, "*Life in Prison*." It was the first book this year that the kids were really excited about. They couldn't wait to read it every day. It was the first time that they actually asked me if they could take it home to finish it.*

* * *

I'm 21 and serve in the U.S. Marine Corps as a military policeman. I have served in Iraq and I prepare for yet another combat tour soon. I come from a poor family and have decided to work with the youth when I get out of the Marines so that I may help them to the best of my ability. Your movie as well as your efforts are an inspiration I visited your web site and did some more research. I remember reading in your apology that you pray your apology will be accepted. I would like to tell you, for what it's worth, I believe it has.

* * *

Hey tookie you're my hero. I'm 12 I was going to be a Crip. I was drinking and smoking because I thought it was cool. When I read your books and watch your movie I learned it was stupid. I'm trying to find my road to redemption. It's hard but I WILL do it for you. I'm going to the library to find another one of your books. Thank you, Mr. Stanley "Tookie" Williams.

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PETITION FOR EXECUTIVE CLEMENCY**

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