

The President

October 21, 2016

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The President  
The White House  
Washington, D.C. 20500

**RE: Clemency Petition Number 184602**

Dear Mr. President:

I am writing to support wholeheartedly Roberta Riley-Bell's petition for clemency.

Roberta Riley-Bell's life reads like a novel by Toni Morrison. Roberta was born on September 4, 1971. As a child, Roberta was shunted from one relative to another. After she was molested, she went to live with her grandmother. At the age of 13½, Roberta was raped by a man aged 19 and gave birth to a baby girl, Ashley, on November 25, 1985, when Roberta was barely 14 years old. At that point, Roberta's grandmother sent Roberta and her infant to live in Gettysburg with Roberta's mother, a drug addict. I wonder how many adults, including mandated reporters of child abuse such as teachers and doctors, noticed this pregnant 14-year-old and failed to report the obvious statutory rape to the appropriate authorities. If just one person had, Roberta would have been removed from that entire environment and might have had a chance at a normal life. She would not have been controlled by her mother's drug dealer boyfriend or ended up in federal prison for life.

Roberta's mother, along with other women, were having sexual relationships with their mutual drug dealer, David Tyler. David had his eye on young Roberta. Roberta's mother gave David permission to have sex (statutory rape) with Roberta and to involve her in his drug dealing to some extent. Roberta was 15 and David was about 25 to 27 years old. In essence, Roberta's mother was pimping her own daughter, subjecting her to sexual trafficking. In an ideal world, Roberta would have been removed from that home and Roberta's mother would have been found guilty of endangering the welfare of a child, or possibly of conspiring to statutorily rape a child. Roberta's mother might then

addressed her drug addiction. That did not happen. Instead, David continued to rape Roberta for almost a year, while he also continued to have sex with Roberta's mother and others, and while Ashley was a toddler in the household. About a month before Roberta turned 16, she had sex with a long-time friend, James Bell, aged 21. This was also statutory rape. As soon as Roberta turned 16, she married James Bell in order to escape her mother's home and life. Roberta proceeded to have two children by her husband, Gerrid, conceived by the statutory rape and born on May 7, 1988, when Roberta was 16½, and Jazzmin, born on September 29, 1990. Roberta was thus the mother of three children by the time she was barely 19. Despite Roberta's marriage, she continued to have sex with David whenever he called, because he guilt tripped her into believing that but for his financial support, Roberta and her baby would have been homeless. When James Bell found out about this continuing sexual relationship, he first beat Roberta up, then left her, leaving her by herself to raise Ashley and his two children. However, he continued to be in her life from time to time, and continued to be physically abusive to her at times. For example, in 1994 or 1995, when Roberta was working for me as a legal secretary, she came to work one day with broken bones in her dominant left hand, the injuries resulting from domestic violence. James Bell was considerably taller than Roberta and more than twice her weight.

Roberta never used drugs herself and never bought or sold drugs. However, on one occasion when Roberta was 20 years old, David contacted her and she agreed to drive to another city to deliver \$2,500 to David's brother for a drug buy. Upon arrival, she delivered the money and was told to drive to another location to pick up another drug customer, Doreen Proctor. Roberta did so. Doreen Proctor came with Roberta willingly and then willingly left Roberta's vehicle and got into the vehicle of another man involved in drug trafficking. When Roberta got back home, David ordered her to lie and be an alibi for him for that evening, ordering her to say that he had been at her home all night. He had made her lie for him on previous occasions related to his criminal activities. Roberta was not told and did not know what this was all about. However, she had obeyed David since she was 14, and did not disobey him on this occasion. She also felt she had no one to believe or save her. Adults and the system had failed her for her entire life. Having been peripherally involved in a drug deal, she did not feel she could go to the police. The following day, Roberta learned to her horror that Doreen Proctor had been murdered the previous night. The police questioned Roberta repeatedly, causing David and his brother to become increasingly worried and abusive to Roberta. Roberta told the police whatever David ordered her to tell them; if she did not (and even if she did), David beat her up. The fact that Roberta was a victim since childhood of sex trafficking, repeated rape, domestic violence, and witness intimidation was never considered in her federal criminal case.

Roberta and six drug dealers were tried in state court in Gettysburg, Pennsylvania. Roberta was acquitted of all charges. The others were all found guilty. Roberta then learned to become a legal secretary and did a part-time apprenticeship with Attorney Deborah Hargett-Robinson. At that time, I was friends with Attorney Hargett-Robinson and had my own law firm two doors away from hers. I had lost my support staff suddenly and was in dire need of immediate secretarial help. Although Roberta was already working a full-time job doing data input at night and was working from 10 AM to 3 PM daily



Attorney Hargett-Robinson for approximately four months from October 1994 to March 1995. Roberta also helped to train the new

-2-

support staff whom I ultimately hired. Roberta did any work I requested, quickly learning skills she did not yet have, and willingly doing menial work like washing coffee cups. She worked even though she was so anemic that I bought her steak. Even though her husband had broken her dominant left hand, she continued to type with her right hand. I had to forbid her to lift files with her left hand, because her work ethic and loyalty would have caused her to further injure her hand rather than leave my work undone.

Although Roberta was acquitted of all charges in state court, and although she was living the life of a law-abiding citizen and raising her three children well, she was charged with federal crimes stemming from the same factual situation as the state court trial. Essentially she was accused of having enticed Doreen Proctor out of her home and into Roberta's car, and delivering Ms. Proctor to the drug dealers who murdered her. This time, Roberta was acquitted of one charge but found guilty of several others. She was found guilty by an all-white jury that almost certainly could not even conceive of, much less relate to, the story of Roberta's life. These jury members had not led the life of a Toni Morrison character. The jury members likely knew few if any people of color, and knew no child who was a victim of sex trafficking including repeated rapes for several years. The jury members likely had not heard of Toni Morrison, Alice Walker, or Maya Angelou. They had likely not read The Bluest Eye, The Color Purple, Beloved, or any other book, fiction or non-fiction, by a black author. I do not know if there were even any people of color in the jury pool. Roberta's federal court lawyer told me at the time that the lack of diversity in the federal jury pools was a real problem for minority defendants. Thus, Roberta was not tried by a jury of her peers. At the trial, my husband and I purposefully sat right next to and hugged Roberta's grandmother so that the jury would see that Roberta was being supported by white professionals.

Roberta was never offered an opportunity to plead guilty to some lesser offense with a lighter sentence. I am enclosing a four-page pre-sentencing letter which I wrote to U.S. District Court Judge Caldwell, explaining what I knew of Roberta and her situation and asking that she be granted leniency in sentencing. I believe that Attorney Hargett-Robinson might have written a similar letter. If I understand correctly, one of Roberta's crimes required the federal judge to sentence her to life without the possibility of parole. Such mandatory sentencing not only unfairly punished people whose crimes were drug addiction, but also unfairly punished women whose "crime" was to become involved, probably involuntarily, with a male drug dealer. The women were often prosecuted severely to force them to testify against dealers, but the women often had no negotiating power with the prosecutors. The drug dealers, on the other hand, had experience in the criminal justice system, and were often quite a bit older and wiser than the women these men had enticed into their world. The drug dealers often had bigger drug dealers to offer up to the prosecutors in exchange for a plea bargain. It is my impression that

years ago, Roberta would have been out of prison, gainfully employed, and raising her own children many years ago. Although I am an attorney, I have never practiced criminal law and have little knowledge of how it worked then or now.

-3-

Attorney Deborah Hargett-Robinson and I were contacted 2004 by Roberta's oldest daughter, Ashley, based on Roberta's suggestion to Ashley that she do so. Attorney Hargett-Robinson and I both wrote letters explaining Ashley's and Roberta's situations, as a result of which Ashley was given financial aid for college. In my first meeting with Ashley, she presented herself much like her mother – polite, respectful, hard-working, and confident, without a bit of self-pity or expectation that she was owed anything by society or by me. It was clear that Roberta had stayed very involved in Ashley's life and had instilled in Ashley the same values I had seen in Roberta so many years ago.

I was recently contacted by Roberta, twice by letter and three times by phone. Roberta's other daughter, Jazzmin, also had a lengthy phone conversation with me. I continue to be amazed at what a remarkable person Roberta has remained, and how well she has raised her children from prison. Although she is requesting clemency, she makes no excuses for bad decisions which she made that contributed to her incarceration. I am humbled by how she can accept her fate and not feel anger or pass anger on to her children. She is a model for me. My situation is far better than Roberta's, yet she handles hers much better than I do mine. Amazingly, Roberta insists on being an emotional support for *me* as I struggle with the physical and cognitive difficulties my husband experiences from his advanced Parkinson's disease. Roberta has also instructed Jazzmin to visit Philip and me and to help us. Roberta knew my husband twenty years ago and still asks about him. **This woman should not be in prison.** She should be out in the world offering her skills, compassion, kindness, leadership, and moral values to her community and her country. She should be working and paying taxes, not in prison at considerable expense to taxpayers. I have mostly retired from practicing law. However, if I were in a position to hire a legal secretary or paralegal, I would hire Roberta in a minute. I will happily give her good references, including personal phone calls, to anyone with whom she seeks employment upon her release. If she is interested in becoming a care provider for my husband, Philip and I will welcome her into our home.

For the foregoing reasons, I respectfully request that Roberta Riley-Bell be granted immediate full clemency. In fact, I request that she be granted a full pardon.

submitted,

Respectfully

Joanne B. Kehr

Enclosure  
cc: Roberta Riley-Bell