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Offender Name: Jones, Julius DOC#: 270147
March 2021 Parole Docket- Commutation Hearing Docket

March 5, 2021

Oklahoma Pardon and Parole Board
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Oklahoma City, OK 73106

Members of the Oklahoma Pardon and Parole Board:

The new materials submitted by Mr. Jones, on the eve of his commutation hearing, should not be considered for a number of reasons. First, Mr. Jones learned of this information in July of 2020, almost eight months ago. Yet, Mr. Jones did not let the State of Oklahoma, or this Board, know that he believed he had important new evidence until the day before the State's protest letters were due to this Board. Even then, Mr. Jones chose to release this information through a press release from his public relations team. He did not officially submit the information to this Board, or to the State, until Friday afternoon, on the business day before this Board's meeting. Mr. Jones's dilatory tactics speak volumes as to both his motives, and the credibility of his new information.

There is no provision in this Board's rules for supplementing a commutation application. A "Commutation application" is defined as "the form approved by the Board for the consideration of a commutation." Rule 515:15-1-2. A "Complete application" is "an application in which all sections of the application have been determined to be complete." Rule 515:15-1-2. An inmate who fails to include all parts of the application, or to sufficiently answer all questions, will have his application returned and be given the opportunity to correct the deficiencies. Rule 515:15-5-2. There is no other provision in this Board's Rules for "supplementing" a commutation application once it is complete.

Fairness, as well as this Board's Rules, should preclude such supplementation. By Rule, the State of Oklahoma (through both the appropriate District Attorney, and the Attorney General) and the victim or victim's representative, are entitled to notice of "the complete commutation application . . . within ten (10) business days of receipt." Rule 515:15-9-1. Receipt is defined as "the date on which the application is determined to be complete and is date stamped as received." Rule 515:15-1-2. Further, once the "complete application has been scheduled on a docket," even more individuals (the victim or victim representative, judge where the conviction was had, District Attorney, and head officer of the relevant law enforcement agency) are entitled to notice. Rule 515:15-9-3(a)-(b). These individuals then "have twenty (20) business days [to] submit support or protest correspondence." Rule 515:15-9-3(a)-(b).

Mr. Jones's actions have deprived the State of an opportunity to investigate and meaningfully respond to his new allegation. Mr. Jones could have filed a post-conviction application with the Oklahoma Court of Criminal Appeals if he believed he had credible new evidence. *See* Rule 9.7(G), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (permitting capital inmates to file successive applications for post-conviction relief within sixty days after the discovery of a previously unavailable factual basis for relief). The Oklahoma Court of Criminal Appeals does not procedurally bar claims of actual innocence. *Slaughter v. State*, 2005 OK CR 6, ¶ 6, 108 P.3d 1052, 1054 ("this Court's rules and cases do not impede the raising of factual innocence claims *at any stage* of an appeal") (emphasis in original).

That Mr. Jones chose to air his "new evidence" in the media, rather than in a court of law, reflects poorly on his assessment of the reliability of that evidence. The State suspects that Mr. Wesley is no more credible than the other two individuals to whom Christopher Jordan allegedly confessed. What is undeniable, however, is that Mr. Jones's DNA was found on the bandanna worn by the murderer, which was wrapped around the murder weapon and found in Mr. Jones's home. That fact, and the abundant other evidence detailed in the Attorney General's protest letter, leaves no doubt as to Mr. Jones's guilt.

This Board should not consider Mr. Jones's supplement.

Respectfully,



Dawn Cash

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