

Petition for Clemency to the
Honorable Don E. Siegelman, Governor of Alabama

On behalf of

FREDDIE LEE WRIGHT

Freddie Lee Wright is scheduled to be executed in Alabama's electric chair on March 3, 2000 at 12:01 a.m.

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Freddie Lee Wright is scheduled to be executed on March 3, 2000, by order of the Alabama Supreme Court. Mr. Wright, by his undersigned counsel, hereby applies to Don Siegelman, the Honorable Governor of Alabama, for a reprieve and commutation of his sentence of death by electrocution, pursuant to Amendment No. 38, Section 124 of the Alabama Constitution of 1901.

Alabama law vests the Governor of this State with the power to grant reprieves and commutations to persons under sentence of death. This power has been exercised by governors of Alabama 111 times since 1887. Historically, clemency has addressed elements relating to the crime or the offender that courts are unable to consider in setting or reviewing sentences.

Freddie Lee Wright was convicted and sentenced to die for a murder he did not commit. His first trial ended in a mistrial, with the jury having voted eleven to one in favor of acquittal. In order to win at all costs at the second trial, the prosecution kept all blacks off the jury and produced a new surprise witness in the form of a former girlfriend who testified that Freddie had confessed his role in the murders to her. On the basis of her testimony he was convicted and sentenced to death.

Clemency should be granted here for the following four reasons:

1. Freddie Lee Wright is innocent of these murders, and has maintained his innocence from the time of his trial until this day;

2. Mr. Wright did not receive a fair trial. In addition to keeping all blacks off the jury at his second trial, the State suppressed evidence that its star witness Doris Lambert was a mentally unstable and borderline retarded drug user who suffered from auditory hallucinations (she believed she had been talking to a father who had been dead since she was seven years old), from homicidal fantasies, and from suicidal ideations. As if this were not enough, the State also concealed evidence of lenient secret deals in which one of the co-defendants who testified against Mr. Wright would not serve a day in prison for his role in these murders, as well as evidence that someone other than Mr. Wright had committed the murders;

3. In prison Freddie Wright has become a devoutly religious man who was baptized and has devoted his life to Christ. He has been a source of strength and inspiration to his loved ones and

others. He could heal and help others if his life is spared; and

4. Both the manner in which Freddie Wright was tried and the manner in which the death penalty has been imposed in Alabama have been racially unfair. Out of the 20 men executed in Alabama since the passage of the 1975 Death Penalty Act, 17 of them have been black. The two men whom the State of Alabama is presently trying to execute are both black. Although black people constitute approximately 26 percent of the population of Alabama, they constitute 85 percent of those executed to date.

Freddie Lee Wright urges the Honorable Governor to invoke his vested power, right, and duty as executive of this state to authorize the commutation of his death sentence. Mr. Wright makes this appeal for commutation based upon compelling equitable and humanitarian grounds, many of which were not known at the time of his sentencing in July 1979.

FREDDIE LEE WRIGHT'S LIFE AND BACKGROUND

Freddie Lee Wright led an impoverished and hard childhood of which the sentencing court had no knowledge because this information was not presented to it.

He is an African American who was born on April 29, 1950. He and his six siblings grew up in poverty with their mother in the Plateau section of Mobile. His father did not marry his mother and did not live with them. He gave them little financial support and they rarely saw him.

Their house was a three room unpainted shotgun shack. For most of their childhood it did not have running water or plumbing. As children they spent much time fetching water from a pump down the street for washing, cooking, and laundry. They used an outhouse in the back. For food they usually ate chickens that they raised and vegetables that they grew, as well as what their brother Samuel could catch when he went hunting or fishing. Six of the children (including Freddie) slept in the same room while their mother slept in the other room with his youngest brother.



JUNE 1958



JUNE 1958

Freddie with his mother and siblings, 1958

In 1964, when Freddie was about thirteen years old, his mother died. Their father did not take them in. Instead Freddie, two of his sisters (Hazel and Sadie), and his younger brother went to live with their twenty five-year-old brother Willie and his wife Dorothy in New Orleans. Dorothy was a violent alcoholic who beat them and dragged them around to bars and gin mills even though they were adolescents. She and Willie beat them constantly with hands, fists, and an extension cord until they were bloody. To this day they have scars on their bodies from these beatings.

Their home in New Orleans was in a rough and difficult area. Freddie was a skinny, passive boy whom the other boys would chase to school and back home again. Although he himself was always being harassed and picked on, he did his best to protect his siblings and keep their lunch money from being stolen from the other kids. One day a couple of boys from the neighborhood tried to rape his sister Hazel. Fortunately Freddie



SCHOOL DAYS 1962-63
WHITLEY

(along with Sadie and the younger brother) encountered them and saved her.

After about a year in New Orleans the children returned to Mobile. Freddie got a job washing dishes at the Sea Ranch Restaurant. He then went on to learn to cook in the Job Corps and became a chef at Constantine's Restaurant in Mobile.

In 1971 Freddie's sister Hazel married Willie Moore. Willie was a Vietnam veteran who had been paralyzed in Vietnam. They lived in Mobile. Shortly afterwards Freddie came to live with them to care for Willie Moore. He would wheel him around the house, lift him in and out of bed, and shave him. He cleaned for them and kept the house neat, and cooked their meals.

Freddie Wright eventually started getting into trouble and hanging out with the wrong people -- including his girlfriend Doris Lambert. He was always a follower rather than a leader. Perhaps it might have been different if he had a male role model in his life but he never did. Whatever crimes he committed were burglaries, minor thefts, and possession (not use) of an unlicensed handgun. He never committed a crime involving violence or even the threat of violence.

Indeed, his Pre-Sentence Report acknowledged that he had a nonviolent reputation. The only incidents of violence included in his Pre-Sentence Report (the assaults of a Martha

Bass and Heard Granville) were later shown at Mr. Wright's 1996 federal evidentiary hearing to have been committed by another Fred Wright who had a criminal record with the police in Prichard (a fact that was never brought to the attention of the sentencing judge). It is against this backdrop that Mr. Wright was arrested, tried, convicted, and sentenced to death in 1979 for a murder he did not commit.

THE CRIME AND FREDDIE LEE WRIGHT'S CONVICTIONS

On December 1, 1997, a Western Auto store in Mount Vernon, Alabama was robbed. The owners of the store, Warren and Lois Green, were tied up and fatally shot with a .38 caliber handgun. Mr. Wright was not in Mount Vernon that day and he did not kill Mr. And Mrs. Green.

Shortly after the robbery, the State indicted an individual named Theodore Otis Roberts for these murders based upon an eyewitness's identification of Roberts at the crime scene and of Roberts' car as the robbery vehicle. In addition to this eyewitness identification, the State also obtained a ballistics report positively identifying Roberts' handgun as the murder weapon and an incriminating statement by Roberts' girlfriend to the police identifying Roberts' handgun as the murder weapon.

The charges against Roberts were eventually dropped and Freddie Wright was instead indicted for the murders based upon the word of two ex-convicts named Percy Craig and Roger McQueen who were themselves later found to be involved in the crime. A third individual named Reginald Tinsley was also arrested. Although he initially implicated Mr. Wright, he later provided Freddie's attorney with an affidavit exonerating him and stating that he was not present at the scene of the crime. Tinsley escaped from the Mobile County jail, was unable to testify, and was not re-arrested until after Mr. Wright had been convicted and sentenced to die.

The First Trial and Near-Acquittal

The case against Freddie Lee Wright initially went to trial in April 1979. He was represented by Al Pennington, Esq., who has since been suspended from the practice of law due to neglect of client matters. It was the first capital murder trial for the new Mobile County District Attorney Chris Galanos, who had taken office only two months earlier. The State's case rested primarily upon the testimony of Craig and McQueen.

In addition to McQueen and Craig, the State presented testimony by a State toxicologist named James Small to the effect that a handgun traced to Mr. Wright was "consistent with" the murder weapon -- though Mr. Small could not positively

identify it as such. (By contrast, he had positively identified Theodore Otis Roberts' handgun as the murder weapon). On the basis of this evidence, the mixed race jury voted eleven to one in favor of acquittal and a mistrial was declared.

This left the District Attorneys' Office in an embarrassing position. First, it had been in the awkward position of having dismissed the charges against a previously indicted suspect, Theodore Otis Roberts. Second, after having dismissed the charges against Roberts, it had come within one vote of losing the case against Freddie Wright.

**The Second Trial and the Addition of
Doris Lambert as the State's Key Witness**

The second trial went forward about a month later. Having come within one vote of acquittal before a mixed race jury, this time the State used virtually all of its peremptory challenges to keep all blacks off of the jury at the second trial. (Mr. Wright is black and the Greens were white). In addition the State searched for some new evidence that could spell the difference between victory and defeat. This new evidence came in the form of a witness named Doris Lacey Lambert, who had not testified at the first trial.

Ms. Lambert was a former girlfriend of Mr. Wright's who had borne him a child out of wedlock before he left her to become engaged to another woman (whom he was planning to marry

at the time he was arrested). At Freddie Lee Wright's second trial, Ms. Lambert testified that he had purportedly confessed his role in the killings to her. Other than Lambert, the case against Freddie Wright remained essentially the same as at the first trial.

With Ms. Lambert being the only difference in the presentation of the State's case between the first and second trials, the jury convicted Freddie of capital murder at the second trial and he was then sentenced to death.

REASONS FOR GRANTING CLEMENCY

Clemency should be granted in this case for at least four reasons: (1) Freddie Lee Wright is innocent; (2) the pervasive suppression and concealment of evidence rendered his conviction unfair and unreliable; (3) his religious transformation in prison has made him into a good and devout man who would be a force for good if his life were spared; and (4) the racially unfair nature of his conviction and the disproportionate use of the sanction against African Americans in Alabama makes this case an ideal one for clemency.

CLEMENCY SHOULD BE GRANTED BECAUSE FREDDIE LEE WRIGHT IS INNOCENT

From the time he was arrested until this day Freddie Lee Wright has insisted that he is innocent of these murders. He

personally proclaimed his innocence at the time he was sentenced. He has never wavered. With little time left before his execution, he is fully aware that it would benefit him to show remorse and contrition for any crime he may have committed. It would also prepare him for his day of execution, when every one of us may have to account to a God who may hold us accountable for such denials if they are false.

Fellow Governors and Legislators are recognizing that capital punishment is claiming innocent lives and have intervened to correct this scandal. Republican Governor George Ryan of Illinois -- himself an advocate of the death penalty -- has called a moratorium on executions in Illinois after evidence demonstrated that thirteen innocent people had received the death sentence in Illinois (as many as were actually guilty). A similar moratorium has been called for by the American Bar Association, as well as in the States of Nebraska and Pennsylvania. It has also been proposed in the Alabama Legislature, as well as in the States of Connecticut, Indiana, Kansas, Louisiana, Maryland, Missouri, Montana, New Jersey, New Mexico, New York, North Carolina, Oklahoma, and South Dakota.

Freddie Lee Wright has been exonerated by two of the three men who have admitted their role in these killings (Roger McQueen and Reginald Tinsley). He was exonerated by Roger McQueen in open court -- at a time when McQueen had nothing to gain by

recanting and could only have antagonized law enforcement and correctional authorities by doing so. McQueen has just recently confirmed his exoneration of Mr. Wright in a letter accompanying this petition. He was also exonerated by Reginald Tinsley in an affidavit which Tinsley gave to his attorney. Because Tinsley was unavailable to testify at trial, the jury never heard this evidence.

When Freddie Lee Wright's execution date was set, he collapsed emotionally and cried in a telephone conversation with his sister Hazel Moore that he could accept death if he had in fact killed the Greens. What he could not accept and reconcile himself to was dying for a crime he did not commit. This statement was conveyed to his sister spontaneously between the two of them. Notwithstanding the private nature of this conversation, its authentic and spontaneous nature (at a time when Freddie Lee Wright could not possibly have thought it would do him any tactical good) is yet further testament to his innocence.

There have been about twenty executions in Alabama since the passage of the 1975 Death Penalty Act. In the overwhelming majority of these executions the factual guilt of the accused has been uncontested -- the only questions have gone to legal defenses rather than guilt. Rarely has this State executed a defendant whose guilt was at all in doubt, and who proclaimed his innocence up until the eve of his execution date. This is such a case. It

is a case that calls for the rare, but just, exercise of this Governor's powers of clemency.

**CLEMENCY SHOULD BE GRANTED BECAUSE
THE PROSECUTION SUPPRESSED EVIDENCE
THAT DEPRIVED MR. WRIGHT OF A FAIR
TRIAL, AND DEPRIVED THE CITIZENS OF
ALABAMA OF A VERDICT IN WHICH THEY
CAN HAVE CONFIDENCE**

**The Suppression of the Psychiatric
Records of Doris Lambert**

At the time Doris Lambert was called to the stand, the State was in possession of information about her that would have effectively destroyed her credibility. This consisted of five years' of psychiatric records about her which the District Attorney's office had in its possession. Rather than producing the psychiatric records of its new star witness to a man who was on trial for his life, the State concealed them in order to assure a conviction at all costs. Had these records been produced, they would have surely shown the jury who the witness really was. Among other things, these records reflected that

- Ms. Lambert suffered from auditory hallucinations, and believed she was having conversations with a father who had been dead since she was seven years old;

- she had a history of entertaining homicidal fantasies and suicidal ideations of her own;
- she had a history of drug use, including THC and cocaine;
- she had been on psychiatric medication for years;
- she had been described as being "manipulative" by the professional that treated her; and
- she had been diagnosed as borderline retarded by the professionals treating her.

These records were not uncovered for another seventeen years until August or September 1996, shortly prior to an evidentiary hearing in Mr. Wright's federal habeas corpus proceeding.

In addition to suppressing this evidence of the mental instability of its key witness who was the sole difference between the first and second trials, the State also suppressed: (1) evidence of a secret and lenient deal between itself and Mr. Wright's co-defendant Roger McQueen; as well as (2) evidence that Theodore Otis Roberts (who had been indicted prior to Mr. Wright for this crime) had instead committed the murders.

The Suppression of the Undisclosed Deal With Roger McQueen

After Mr. Wright was convicted and sentenced to death, McQueen was convicted of second degree murder, and received a twenty-year sentence that was to run consecutively with a thirty-year sentence for armed robbery which he was already serving in Mississippi.

Three weeks after his conviction, McQueen filed a notice of appeal and a motion for a new trial. In his motion for a new trial, McQueen claimed that the State had violated a secret deal pursuant to which it would reward his testimony against Freddie Lee Wright by prosecuting him only for robbery (not murder), and by promising him that any sentence he received on the robbery conviction would run concurrently with his Mississippi sentence. Craig submitted a sworn statement corroborating McQueen and claiming that similar promises had been made to him.

The State never opposed the motion. Nor did it claim that any of McQueen's statements were untrue. Nor did any court rule upon the motion. Instead, less than a month after the motion was filed, McQueen mysteriously withdrew both his notice of appeal and his motion for a new trial for no apparent reason.

Thirteen years later -- in the summer of 1992 -- McQueen was released from prison in Mississippi after the

completion of his sentence there without being returned to Alabama to serve a day for his role in the murders of the Greens. This was entirely consistent with what McQueen had claimed in his motion that the State was promising him all along -- a concurrent sentence for the killings.

At the federal evidentiary hearing on Freddie Wright's habeas corpus petition, McQueen affirmed the existence of this deal. He also recanted his seventeen year old testimony against Freddie Lee Wright. In one of the most dramatic moments of this case, he told the Court on October 1, 1996 that Freddie Lee Wright was innocent and that he had not murdered the Greens. He also apologized to Freddie in open court from the witness stand.

**The Suppression of the Evidence
Against Theodore Otis Roberts**

Although it had been ordered by the trial court to produce any evidence which could tend to negate the guilt of the accused, the State suppressed: (1) the eyewitness identification by Mary Johnson of Roberts as the lead member of the robbery team; and (2) a statement which Roberts' girlfriend made to Mobile County Detective Albert Stroh which he then reproduced in a Search Affidavit (the "Stroh Affidavit") that Roberts' handgun was in fact the weapon used in the double murders. No mention was made of Roberts at Freddie Lee Wright's trial, and the jury

which convicted Mr. Wright never heard this evidence implicating Roberts as the killer.

**The Former District Attorney
Admitted That This Evidence Should
Have Been Disclosed**

Among the witnesses who testified at the federal evidentiary hearing was former District Attorney Chris Galanos, who had prosecuted both of the trials against Mr. Wright. He admitted that Doris Lambert was the only significant difference between the State's case at the first and second trials. He also admitted that her psychiatric records should have been turned over to the defense.

In addition to that admission, he also agreed that any deal between the State and Roger McQueen as well as the evidence against Theodore Otis Roberts should have been turned over to Mr. Wright and his attorneys.¹ Finally, he admitted that the evidence against Roberts should have been disclosed as well. Although the State later argued that it was free to hold back some of this information because Roberts' arrest had been reported in the newspapers seven months before Mr. Wright was arrested (and at a time when he and his attorney had no reason to be saving stale press clippings of Roberts' case), former

¹ Although former District Attorney Galanos contested the existence of such a deal, the federal trial court never explicitly ruled on the question of whether such a deal existed.

District Attorney Galanos admitted under oath that the earlier coverage of Roberts' case in the newspapers did not relieve his office of its obligations to produce this material.

This admission by the prosecuting attorney himself is the most telling of all. As the prosecutor in both the first and second trials, former District Attorney Galanos was in the best position to appreciate what impact this evidence would have had upon the jury which convicted Mr. Wright and the trial judge who sentenced him to die.

It is hard to see how the former District Attorney could have come to any other conclusion. The only impeachment of Ms. Lambert on cross-examination consisted of a minor shoplifting conviction and the depiction of her as a scorned girlfriend. This alone was not enough to discredit so key and central a witness who gave such damning evidence. Had the jury at Mr. Wright's second trial known that Ms. Lambert hallucinated and heard dead people talking to her, they would more likely than not have discounted her pivotal testimony that she heard him confess to her. The jury's doubts about Ms. Lambert's reliability would have been strengthened by the undisclosed evidence of her own homicidal and suicidal fantasies, her borderline retardation, her drug use, and her psychiatric treatment.

Had the jury disbelieved Lambert, that would have left the State with essentially the same case that had ended in a mistrial without Lambert's testimony. That case had come within one vote of acquittal.

Indeed, had all of the suppressed evidence been disclosed, it would have left the State with a worse case in at least two respects. First, the credibility of McQueen and Craig would have been further damaged by the disclosure of a secret deal that they had struck with the State and then lied about. Second, the tenuous case against Mr. Wright would have been even further weakened by all of the suppressed evidence demonstrating that Roberts may have been involved in the murders, and that Craig and McQueen had lied about his role. Only by suppressing a mountain of exculpatory and impeachment evidence was the State able to obtain this unjust and unreliable conviction.

The Courts' Response

In the course of denying the habeas corpus petition, the United States District Court was extraordinarily critical of the State's conduct. The court stated that "the apparent misfeasance of the State in this case raises a good deal of concern." The court also wrote that "numerous imperfections in the state court proceedings were revealed," that "some of these imperfections -- like the State's failure to disclose certain exculpatory materials

-- do not in any way deserve the blessing of this Court," and that the State should feel "fortunate" it would not have to re-try this case. However, because of its belief that a federal court was not the proper forum in which to re-try this case, it felt constrained to deny relief and the Eleventh Circuit affirmed.

The Eleventh Circuit held that virtually all of these claims were procedurally barred from review because they had not first been presented to the state courts. Thus they were immune from federal review (no matter how egregious the errors) unless Mr. Wright could establish "cause" and "prejudice" for any procedural default.

The Eleventh Circuit held that "cause" had not been shown because Mr. Wright's prior attorneys had failed to take the steps to protect him. The claim that the State had improperly kept all blacks off the jury at the second trial was barred from review because Mr. Wright's trial counsel made no objection at the time. The State's concealment of evidence was also barred from review because Mr. Wright's prior attorneys never bothered to seek this discovery (or any discovery whatsoever) from the State during the state postconviction proceedings. Thus, through no fault of his own, Freddie found these claims to be barred due to the carelessness and ineffectiveness of his prior attorneys.

The federal courts also found that there was no "prejudice" because it was not reasonably probable that the

results of Mr. Wright's second trial would have been any different had the evidence been disclosed. The courts' holding is blind to the facts, to the laws of evidence, and to the laws of common sense.

The State's case rested almost entirely on the word of Doris Lambert -- the only meaningful difference between an 11-1 vote for acquittal and a 12-0 vote for conviction. Notwithstanding the crabbed and technical excuses offered by the courts, no fair and competent Alabama state court trial judge would have precluded a man on trial for his life from showing that the State's new star witness was a mentally unstable drug user who had talked to a father who had been dead since she was seven years old.

No one knows this better than former District Attorney Galanos. That is why his office obtained these records in the first place and why he admitted under oath that they should have been disclosed to the lawyers for Freddie Lee Wright. Had this evidence been coupled with the equally suppressed evidence of the State's secret deal with Craig and McQueen, as well as with the evidence the State thought sufficient to indict Theodore Otis Roberts for murder, any reasonable and open-minded person would conclude that Freddie Lee Wright would not be on death row today.

CLEMENCY SHOULD BE GRANTED
BECAUSE FREDDIE LEE WRIGHT HAS
UNDERGONE A RELIGIOUS
TRANSFORMATION THAT HAS MADE
HIM A DEVOUTLY RELIGIOUS MAN
WHO COULD HELP OTHERS

Prior to his conviction and imprisonment on death row Freddie Lee Wright led a life of which he was not proud. Although he is innocent of these murders, he did lead a life of petty (albeit nonviolent) theft.

Since his imprisonment on death row, Freddie has accepted Jesus Christ as his Savior. He was baptized about ten years ago. He believes that he is right with the Lord. Rather than complaining and seeking support from the outside world, he has been a source of support and solace to those on the outside.



Freddie Lee Wright being baptized in prison

His sister Hazel Moore has submitted a certification in which she describes how Freddie has been a source of solace and support to her over the years. In times of personal need and problems, he has been a pillar of strength to her.

Another friend, Wendy Fancher of Birmingham, Alabama, has written that:

The better I get to know Freddie, the more reasons I find to like him. He has been faithful in maintaining correspondences, which I have grown to look forward to receiving weekly. They are not filled with flowery language, claims of innocence, complaints about his living conditions or anything like that, and he always manages to include something beautiful that inspires me. As part of my daily meditation I read a poem he sent that seemed just appropriate for that...

A poignant letter by Linda Towle of Duluth, Minnesota demonstrates how Freddie helped her survive emotionally when her son went to prison.

When my son went to prison in Minnesota for "aiding and abetting," it was Freddie who helped me get through it . . . Freddie told me things to write on his behalf and it was Freddie who would say something funny that would brighten up my day. Freddie is a true friend. I want more than anything in this world to get Freddie out of prison. He has served far too much for a crime he didn't do! He's a good person and deserves a chance in life. I pray for the clemency for him.

The life that you are being asked to spare is a good one and one worth saving. Freddie Lee Wright and his friends hope that clemency will be granted him.

**CLEMENCY SHOULD BE GRANTED
BECAUSE OF THE RACIALLY UNFAIR
NATURE OF THE TRIAL AND MANNER
IN WHICH THE DEATH PENALTY HAS
BEEN IMPOSED IN ALABAMA**

The role of race in this trial and sentence of death is important. Freddie Lee Wright is black; the victims were white. A mixed race jury almost acquitted him; an all-white jury convicted him. Approximately seventeen out of the twenty men to die in Alabama's electric chair since 1975 have been black. The two men Alabama is now seeking to execute are also black. Although blacks only constitute approximately 26 percent of Alabama's population, they constitute 85 percent of its executions.

The legitimacy of the death penalty rests in part upon the premise that it will be applied fairly and evenhandedly without regard to race. That is not what has happened. The fact is that this ultimate punishment has fallen disproportionately -- almost exclusively -- upon the black male population of Alabama. It is hard to have confidence in a conviction where a racially mixed jury almost acquitted Mr. Wright, and -- because of counsel's errors -- no subsequent reviewing court could do

anything about the racially skewed nature of the jury. This renders the notion of evenhandedness and equality in the imposition of the death penalty a hollow one. In the name of fairness and equality, clemency should be granted to Freddie Lee Wright.

CONCLUSION

The Governor is not bound by the same legal restraints as the courts. His ability to right an injustice is constrained only by conscience and equity. This clemency petition presents the Governor with a chance to rectify a morally intolerable result that the strictures of modern jurisprudence are unable to rectify.

The people of Alabama may have a compelling interest in seeing that those who commit capital murder should pay the price. However, they have an equally compelling interest in seeing that their fellow citizens such as Freddie Lee Wright are not sentenced to death where there are troubling questions about their guilt or innocence. They also have a compelling interest in seeing that prosecutors who are charged to uphold the law do not themselves circumvent it in their haste to gain a conviction.

The execution of Freddie Lee Wright will not restore Warren and Lois Green to their family and loved ones. It will only compound the tragedy by taking another innocent life in the blind rush to inflict retribution for a crime that may forever

remain unsolved. In your hands rests the power to right a terrible wrong. Freddie Lee Wright humbly requests that you exercise that power with wisdom and with mercy.

The story of Freddie Lee Wright has touched the conscience of many concerned Americans. Over sixty citizens with no relation to Mr. Wright have written on his behalf imploring the Governor for clemency (fifty-six of these letters accompany this petition). A dozen of them come from Alabama. Others have come from Arkansas, California, Florida, Minnesota, Mississippi, Missouri, New Jersey, New York, Oregon, Washington, and the United Kingdom. They come from a former homicide investigator (Jim Duncan of Montgomery), retired military servicemen (Dale Scott of Montgomery) and decorated World War II veterans (Dave Silver of New York), supporters of capital punishment (Charles Duval of Montgomery), and an eighteen-year old schoolgirl who Freddie assisted with a research paper (Tiffani Robertson of Colfax, Washington).

Clemency for Freddie Lee Wright would be a show of strength. It would set an example for not only the citizens of Alabama but of the nation as well. It would show how far we have come as a people who prize truth and justice. It would be a

beacon and inspiration to all.

Respectfully submitted,

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INDEX OF EXHIBITS TO CLEMENCY PETITION

- A. Certification of Hazel Moore
- B. Certification of Sadie Green
- C. Certification of Corstnell Green
- D. Letter from Roger McQueen
- E. Letters submitted in support of clemency
- F. List of others who have written directly to the Governor in support of clemency

CERTIFICATION OF HAZEL MOORE

I, Hazel Moore, certify the truth of the following under penalty of perjury for willful misstatement:

I am a sister of Freddie Lee Wright. I am fifty years old. I am a full-time tailor and work 40 hours a week. I am a graduate of Mobile County Technical High School, Carver State Technical Institute, and I studied for a year at Bishop Community College in the field of general education. I am widowed with 2 children and four grandchildren. I reside at 2530 Pleasant Valley Drive in Mobile, Alabama.

I have six brothers and sisters, including Freddie. Three of my brothers have died and Freddie is my final surviving brother. I pray that the State of Alabama will not kill him.

We grew up in poverty in the Plateau section of Mobile. Our father did not marry our mother and did not live

with us. He gave us little financial support and we rarely saw him.

Our house was a three room unpainted shotgun shack. For most of our childhood it did not have running water or plumbing. As children we spent much time fetching water from a pump down the street for washing, cooking, and laundry. We used an outhouse in the back. For food we usually ate chickens that we raised and vegetables that we grew, as well as what my brother Samuel could catch when he went hunting or fishing. Six of the children (including Freddie) slept in the same room while my mother slept in the other room with my youngest brother Famous, Jr., also known as "Cricket." My mother was a strict woman and most of our days were spent at school, at church, or doing chores. We had little time for play and very few possessions.

Freddie was a quiet and loving brother to us.

Although he had an impish side (he used to kid me by chasing me with lizards), he was very protective of my sister Sadie and me (we were very close in age).

In 1964, when Freddie was about thirteen years old, my mother died. My father did not take us in. Instead Freddie, Sadie, myself, and "Cricket" went to live with my twenty five-year-old brother Willie and his wife Dorothy in New Orleans. Governor, it was a horrible life that I'm sure you can't imagine. Dorothy was a violent alcoholic who beat us and dragged us around to bars and gin mills even though we were adolescents. She and Willie beat us constantly with hands, fists, and an extension cord until we were bloody. To this day we have scars on our bodies from these beatings.

Our home in New Orleans was in a rough and difficult area. Freddie was a skinny, passive boy who the other boys

would chase to school and chase back home every day. Although he himself was always being chased and picked on, he did his best to protect us and keep our lunch money from being stolen from the other kids.

One day a couple of boys from the neighborhood tried to rape me. Fortunately Freddie (along with Sadie and Cricket) encountered us and saved me. I know how frightened my brother was of physical confrontation and how scared he must have been. I will always be grateful to him for saving me from being raped.

After about a year in New Orleans we could not take the abuse any more and we left. Upon our return to Mobile we lived in separate places. I insisted that my father take me, Sadie and Cricket in. Freddie got a job washing dishes at the Sea Ranch Restaurant and rented a room for himself. Although Freddie now had his own place, he came by to see us all the time and remained a loving and supportive brother. From there

Freddie want on to learn to cook in the Job Corps and became a chef at Constantine's Restaurant in Mobile.

In 1971 I married Willie Moore. He was a Vietnam veteran who had been paralyzed in Vietnam. We lived in Mobile. Shortly afterwards Freddie came to live with us. He cared for my husband along with me. Freddie would wheel him around the house, lift him in and out of bed, and shave him. He cleaned for me and kept the house spotless. He cooked for us too and I still remember what a wonderful cook he was. He cooked barbecued chicken, fried chicken, ribs, collard greens, sweet potato pies - you name it, Freddie could cook anything.

Freddie eventually started getting into trouble and hanging out with the wrong people - including his girlfriend Doris Lambert. Freddie was always a follower rather than a leader. Perhaps it might have been different if he had a male role model in his life but he never did. Whatever crimes my

brother committed were burglaries and sneaky thefts for drugs.

He never committed a crime involving violence or even the threat of violence. I never saw him fight and I never saw him threaten anyone. I never saw him with a gun or any other weapon.

I remember hearing it on the news when the Western Auto store was robbed and its innocent owners were killed. I never had any reason to suspect Freddie. He did not have any stereo components or stolen merchandise, he did not have any unusual amounts of money to spend, and he never gave the impression of somebody who had a guilty conscience or some connection to the crime. I know my brother perhaps better than anyone else does, and I believe to this day that he did not kill Mr. and Mrs. Green.

I have been in constant contact with Freddie during his twenty-one years on death row. He has always insisted on his innocence and has never wavered. I have told him over and

over that, if he was guilty, he should accept it and repent. But he has told me every time that he did not kill anyone and that he is on death row for a crime he did not commit, and I believe him.

Since he has been on death row Freddie has found the Lord and became a deeply religious man. He was baptized about ten years ago and has told me that he is right with God. We talk about the Bible and his religious convictions all the time. I am amazed at the quiet strength and courage that Freddie has shown over the years. In fact, it is he that has helped me overcome my personal problems and disappointments over the years. He has been a source of comfort and sound personal advice to me. It sometimes seems like a strange twist of fate that it is Freddie, on death row, who is a source of strength and support to me rather than the other way around. He could do

so much good for so many people if only you would spare his life.

There is only one time I remember Freddie collapsing emotionally. That is when the Supreme Court of Alabama set his execution date. That night he called me and he wept uncontrollably, as did I. He was devastated and broken. I will never forget what he told me and I hope you will not either. If he had killed the victims, he said, he could accept his death and would meet it in peace. But he could not accept dying because he had not killed anyone. He could not prepare himself to die for a murder he did not commit. These were the tears of an innocent man, and they will always haunt me if his life is not spared.

In closing, Governor, I know my brother is a good person. I know that he is innocent. I beg you to give him another chance and to find the real murderer, because it is not

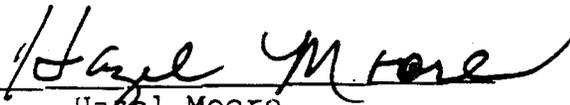
my brother. I know my brother could be a help to society, just as he has been a help to me. Freddie would not have even known the type of criminals who falsely blamed him if he'd had a stronger family and a male role model in his life. I wish I could have done more for him.

But he was only thirteen or fourteen years old when my mother died and our family fell apart, and there is only so much a boy that age can take. He did not have the strength my sisters and I did, and he let himself associate with people who used him as a scapegoat for something he didn't do - just as stronger and meaner boys took advantage of him all his life.

I know that sparing my brother's life would not be an easy thing for you to do. I know the Green family has been through unspeakable pain because their loved ones were taken away from them for no reason. I know that because the State of Alabama now wants to kill my beloved brother for no reason too,

for a crime he did not commit. I am asking you to search your
heart and conscience and to spare my brother's life. It is the
merciful thing to do and it is the fair thing to do.

Thank you very much.


Hazel Moore

68440

CERTIFICATION OF SADIE GREEN

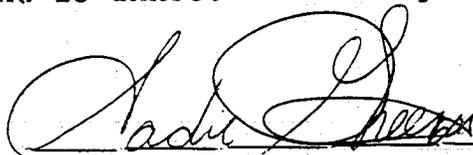
SADIE GREEN hereby certifies the truth of the following under penalty of perjury for willful misstatement:

I am a sister of Freddie Lee Wright. I am forty seven years old and work 72 hours a week as a Manager. I am married with one child and live at 3022 Farcott Court in Mobile, Alabama. I graduated from Vigor High School and from Phillips Junior College in Mobile with a degree in medical administration.

I have read my sister Hazel's certification and I think it tells you what my brother Freddie and our lives were like. It also tells you what kind of man my brother has become in prison and what he is like today. I know that you are a very busy man so I will not repeat what Hazel has said. But I would like to express my own feeling and my own appeal to you.

Freddie is the last living brother that I have. I do not want to lose him. I know in my heart that he is innocent of this murder. I know Freddie very well, and he does not have it in him to have killed two people in cold blood. He was soft and nonviolent as a child, and I know that nonviolent children do not grow up to be violent adults.

Freddie did know people who were violent, and they used him here to escape responsibility for their own crimes. My brother would not have known such people if he had more opportunities than he did in life. He is now a good, peaceful and Christian man. He has led a Christian life in prison and he would lead a Christian life if he were allowed to live. By all that is good and right in this world, I ask you to spare my brother's life because he is innocent and to grant him clemency.


Sadie Green

68441

CERTIFICATION OF CORSTNELL GREEN

CORSTNELL GREEN hereby certifies the truth of the following under penalty of perjury for willful misstatement:

I am the husband of Sadie Green and the brother-in-law of Freddie Lee Wright. I have known Freddie since the early 1970s, before I met and married Sadie. I love him and ask that you grant him clemency.

I know Freddie well. He was always a quiet and unspoken man. He was also a nonviolent man and a follower. He never had it in him to initiate much activity at all (much less illegal activity). At most he would quietly tag along with other people who would lead him and set the agenda. I never saw Freddie with a gun and I doubt he would even be able to use one. Although he was a follower, he had good sense and would never have been depraved or foolish enough to kill anybody.

I also know Reginald Tinsley, Percy Craig, Roger McQueen, and Theodore Otis Roberts. Fortunately for me, I married Sadie in 1974 and did not spend much time with them after that. Freddie was not so lucky.

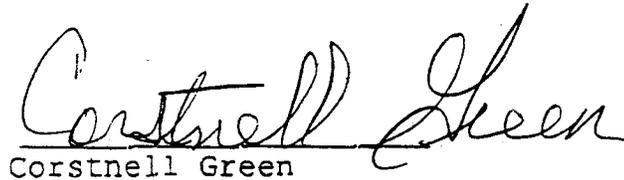
Freddie did not have it in him to commit acts of violence or murder, but some of these other people did. They may have had it in them to commit this act but Freddie did not. Reginald Tinsley still lives in the area, and he has told me many times that Freddie did not commit these murders and that he was wrongfully convicted.

It is wrong that the admitted participants in these murders - Percy Craig, Roger McQueen, and Reginald Tinsley - were released from prison and that Craig and Tinsley are free men today while my brother-in-law is on death row.

I do not know who committed these murders but I know in my heart that it was not my brother-in-law. Let revenge be

This document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.

mine, said the Lord. Where the true killer is in doubt (as it is here) then it is for the Lord - not man - to seek revenge.


Corstnell Green

68442

February 4, 2000

Hi Wendy:

This is a response referencing to Freddie Lee Wright.

Wendy you've already heard everything providing after and during trial in Freddie Lee Wright's behalf.

That Freddie Lee Wright did not commit the Western-Auto Store murders of Mr. And Mrs. Green.

Wendy I have stated while during trial in 1978, my testimony was all arranged by Detective, Agent Larry Tillman, and District Attorney Chris N. Galanos. It was fabricated by the above authorities.

Wendy, my attorney knows everything concerning Freddie Lee Wright, and the arrangement with these agents.

I cannot call you Wendy, but you can set up a call through Administrative Warden, Mike Adams, or A.W. C. Grammant, Administrative Program.

Peace, Respect.

Roger McQueen

No:

February 4/2000

Candy, This is response
referencing to Freddie
Lee Wright.

Candy, you've
already heard every
thing Freddie Lee
and during trial in
Freddie Lee Wright
Delray.

That Freddie Lee
Wright did not
commit the Weston
Auto Store Murders
of Mrs, Mr, Greens.

Candy, I've
stated while during
trial in 1978 my
testimony was all
arranged by Detective,
Agents Jarris Tillman,
and District Attorney
Chris N. Galanis. It
was all fabricated
by above authorities.

Candy, my attorney,

Know every thing concerns
Dreddie, the Wright,
and the Department
with these Agents assist

I ~~cannot~~ cannot call
you directly but you
can set-up a call
by through Administrative
Warden, Mike Adams, or
A. W. C. Hammond.
Administrative Program
Warden.

Peace, Respect.



Mr. Roger McQueen
0402-003
3901 Lein Blvd
Lompoc, Ca 93436



Candy Fancher
1908 Francis Ave S.W.
S. W.

32311478602

