

May 3, 2019

Ron O'Brien, Esq.
Franklin County Prosecuting Attorney
373 S. High Street
14th Floor
Columbus, OH 43215
prosecutor@franklincountyohio.gov

Re: Request to End the Unjust Prosecution of Masonique Saunders

Dear Prosecuting Attorney O'Brien:

We, the undersigned, write to express our support for Masonique Saunders and our opposition to your office's decision to file felony murder charges against her.

Columbus Police claim that Masonique was present during an undercover sting operation at which Officer Eric Richards shot and killed sixteen-year-old Julius Ervin Tate Jr. during an alleged robbery. There is an ongoing dispute and investigation regarding whether Julius brandished a firearm at the scene before being shot five times by Officer Richards. What is not in dispute is that Masonique did not commit murder; utilizing the legal fiction of felony murder is a transparent attempt to distract from the actions of Officer Richards in Julius's death.

Masonique is now seventeen-years-old, an age at which charging her with aggravated robbery and felony murder requires mandatory bindover to adult court under Ohio's law. Charging Masonique with felony murder and prosecuting her in adult court would create further harm to a community that has already experienced a tragedy with Julius's death. Research, data, and experience suggest that there are better ways to heal the community while also promoting public safety.

Youth do not belong in the adult criminal justice system. Children in the adult system are more likely to experience physical and sexual abuse, 36 times more likely to commit suicide than their peers held in juvenile facilities, and are more likely to be exposed to prolonged periods of solitary confinement,¹ an experience the United Nations has found is akin to torture.² Not only is the experience harmful for youth, but also harmful to public safety. Youth

¹ Arya, N. (2018). *Getting to Zero: A 50-State Study of Strategies to Remove Youth from Adult Jails*. Los Angeles, CA: UCLA School of Law (2018). Retrieved from https://drive.google.com/file/d/1LLSF8uBlrcqDaFW3ZKo_k3xpk_DTmltV/view

² *U.N. Secretary General, Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*, ¶ 77, U.N. Doc. A/66/268 (Aug. 5, 2011), Retrieved from <http://solitaryconfinement.org/uploads/SpecRapTortureAug2011.pdf>.

prosecuted in the adult system are at least 34% more likely to recidivate than their peers in the juvenile justice system.³ Adult prosecution of Masonique serves no public purpose.

In this case, Masonique's alleged actions do not suggest that she is a threat to public safety, and in fact, placing her in the adult system presents a greater risk than it mitigates. Given that Masonique did not shoot Julius Tate Jr., we believe that her court-involvement will not ultimately further public safety. Furthermore, the police actions surrounding the killing of Julius Tate Jr's and Masonique's subsequent arrest are deeply concerning and require immediate redress.

We join the Coalition to #FreeMasonique in requesting the following:

1. The immediate release of Masonique Saunders.
2. Dropping the charges against Masonique.
3. Charge Officer Eric Richards with the murder of Julius Tate Jr.
4. Instigate an independent investigation of the murder of Julius Tate Jr.
5. Release the documents in the records release request filed by the Tate family.

We hope that you will strongly consider dropping the charges against Masonique and moving forward with the request above in order to heal the harm and trauma to the community caused by the death of Julius Tate. If you have any questions regarding the content of this letter, please contact Jeree Thomas at jthomas@cfyj.org.

Sincerely,

Jeree Thomas, Policy Director
Campaign for Youth Justice

Jason Szanyi, Deputy Director
Center for Children's Law & Policy

Gina Womack, Executive Director
Families and Friends of Louisiana's Incarcerated Children

Grace Bauer, Executive Director
Justice for Families

Cayla Burton, Policy Director
Juvenile Justice Coalition, OH

³ Centers for Disease Control and Prevention.(2007) *Effects on Violence of Laws and Policies Facilitating the Transfer of Youth from the Juvenile to the Adult Justice System: Report on Recommendations of the Task Force on Community Preventive Services*, Retrieved from <http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5609a1.htm>.

Riya Shah, Managing Director
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Michael Friedman, Executive Director
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