



Thoughts for Supporters of Someone Charged with a Crime

DefenseMap.com

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In outcomes for people charged with alleged crimes (whether innocent or guilty), chance favors clients with support. Here are some thoughts about help you can be to an accused person.

1. **Stay in touch with the client.** Don't worry about knowing the right thing to say. Just staying connected (or getting reconnected) can mean the world to an accused person.
2. **Encourage others who know and care about the client to also be in touch with the client.** You can even share this memo with such people. There's a reason visiting, supporting, and encouraging people charged with crimes are encouraged by so many ethical traditions: *These people are too easily forgotten!*
3. **Listen and use good judgment.** You don't have to have answers. Just showing your concern by being connected can help. In fact, unless the defense attorney has cleared you and the client to speak about the alleged crime, stay away from those discussions.
4. **Be encouraging.** Again, use your good judgment about either sympathizing with or challenging the client. But remember the client may already feel bad enough. Being encouraging in a general way without analyzing the case may be best.
5. **If the attorney and client both agree, carefully read his Defense Map (or at least such parts as they agree can be released to you).** This can help in a number of ways. First, supporters often remember or appreciate things clients don't (the client's full history of troubles and obstacles, successes, acts of kindness, etc.). When reminded of these, clients can log back on to add them to their Defense Maps. Second, reading the Defense Map can help you better see the support you can lend.
6. **Draft a letter of support.** Letters of support from family and friends can be extremely important. Letters of 1-3 pages from supporters who really know clients often help educate prosecutors and judges on fairer outcomes. Here are some guidelines.
 - a. **Consider writing first to the defense attorney.** You can start, "I'm writing to you about your client Roger Shelton." Attorneys with integrity and commitment always welcome these drafts. If the defense attorney shows no interest, you can try (i) a gentle call and (ii) giving a copy to the client to raise with the attorney. But if need be, you can write to the probation department or directly to the judge after a plea or verdict of guilty to say why you think the client deserves special consideration for a lenient sentence.

- b. **Be completely accurate.** You don't need to include every negative about the client, but you must be completely accurate and honest in what you do say.
 - c. **Know what to leave out of your letter.** Unless the attorney specifically okays it, stay away from (a) any criticism of the charge, any witnesses, the police, the prosecutors, or the process and (b) any personal thoughts about the alleged crime.
 - d. **Write with a lot of thought and preparation, but write soon.** It's never too early for at least a first draft. You can add more information later.
7. **Consider these typical parts of a good letter of support.**
- a. **Start with at least a couple sentences about who you are and your connection with the client.** What are key details of your job, your place in the community, and some reasons to see you as someone worth serious attention? Unless it's obvious (for example, "Jason Johnson is my son"), when and how did you meet the client, what have you done together, and what exactly is your relationship now?
 - b. **Include some of the best things about the client—especially *specific* things showing the client can be counted on to be a responsible person in the future.** *Being specific about these can help.* ("I've watched for many years as Jason has regularly volunteered at the Boys and Girls Club and mowed the lawns and shoveled the sidewalks of at least three elderly neighbors" can mean a lot more than, "Jason is a caring person.") And when it comes to "the best things about the client," there is almost no limit to the kind of useful information here. Acts of kindness and consideration and responsibility, confronting a drug or alcohol problem (even if not entirely successfully), dealing courageously with other problems in his or her life, and specific ways of trying to face a problem—all these, and many others, can be very powerful. *Keep in mind that one of the things making your observations important is that you will know things that can easily be missed by the prosecution, defense attorney, probation department, and other parts of the system.*
 - c. **If accurate, you can make a general statement of what you have seen and heard about any remorse and regret the client has shown.** This, of course, may not apply if the client is simply not guilty. And it should not be included in any final draft unless the attorney and client both agree.
 - d. **If accurate, make special mention of efforts the client has made *recently*, especially *since charged*.** This is another reason for the client to seek personal improvement while the case is being handled—and for you to encourage the client in this. Remember, a key goal of the criminal justice system in many cases is to give people the chance to improve themselves. Prosecutors in plea negotiations *and*

judges at sentencing can rightly be moved by clients' honest efforts at self-improvement after they are charged.

- e. **If accurate, point to the client's plans for ongoing self-improvement.** Clients can help themselves both personally and legally by continuing to honestly face issues in their lives. So, for example, it can be helpful for prosecutors and judges to know that a client is voluntarily and enthusiastically in appropriate care for a drug or alcohol problem—and that you are hoping that care won't be interrupted by prison.
- f. **If accurate, mention the people (including children, elderly, etc.) who rely on the client and would be hurt by a harsh outcome in the client's case.** Again, be specific about who these people are and the ways the client helps them.
- g. **If you are willing and able to be of help to the client (companionship, a job, transportation, etc.), you can say exactly what this help is.**
- h. **If you know of one or two other responsible people able to speak up for the client, you can say briefly who they are, how they know the client, and what their contact information is.**
- i. **Finally, in one sentence using your own words, thank the reader for considering your comments, taking the time to read what you've sent, however you would word your appreciation for being heard.**

#1 Sample Letter of Support

Hawthorn Reclamations, Inc.
420 N. Walnut St.
Bloomington, IN 47404
812-900-7399

Mr. Kenneth Potter
Attorney at Law
205 West Jefferson Blvd.
South Bend, Indiana 46601

Re: Michael J. Peterson

Dear Mr. Potter:

I'm writing to you on behalf of your client Michael J. Peterson (Mike). As you know, he is in jail on a charge of dealing drugs. I feel strongly he deserves to be released on bail and to have his case considered in light of a tragic background that he has not (at least until now) had help to deal with.

I would like to be of whatever help I can be. This includes speaking up about what I know of Mike and letting everyone know Mike is welcome to come back to work in our family's fabricated housing reclamation business at any time.

I knew Mike originally from his days of working in our business, Hawthorn Reclamations, Inc. (where we research, test, and practice innovative ways of saving low-cost manufactured housing that can be retooled for needy families).

Mike worked with us on-and-off between about 2013 and 2018. He was a dedicated, likeable, and amazingly talented reclamation journeyman (and I don't use the term lightly). I felt I got to know him well. But I didn't know nearly the full story until the day about two years ago when he shared with me that his uncle had been sentenced to prison for child sexual exploitation—and that this uncle had sexually victimized Mike over a period of years in his youth.

My wife (Jeanette) and I were devastated to learn this about Mike's past. We (maybe naively) thought he would be less withdrawn, happier, and more stable with his uncle's incarceration. Unfortunately (and this really fits Mike's giving and caring personality), he became consumed with guilt that other boys were victimized by his uncle after he (Mike) went along with his family's demand that he not say anything about what had happened to him.

Even before Mike's revelation to us, my wife and I had sensed something was eating at him. He was sometimes capable of the most amazing work with our company. Probably more than any of the 100+ employees we've had, Mike dedicated himself to learning the multi-disciplinary art of reclaiming and restoring salvageable fabricated homes for low-income families and the public programs serving them. His dedication to our mission was truly unsurpassed.

My best estimate is that Mike worked with us on average about 1,000 hours a year in the 5+ years he was with us. He was honest, dedicated, and generous in every way.

On hearing of Mike's arrest, I went (unannounced) to see him at the jail where he was detained. Only because of the long drive did the jail agree to let me in for a visit (a noncontact one through the glass partition). Mike took one look at me, put his head down, and wept uncontrollably. It was almost 15 minutes before he could speak.

He spoke honestly of his shame and regret over these events. And of his hope to get help with the drug habit he developed trying to deal with the memories of his abuse. We now talk daily by phone and at least once a week at the jail.

Mike needs and deserves help. I believe this as much as I believe anything. He is welcome to come work with us and even live with us. I believe everything he has shared about wanting help with his drug addiction. He knows, understands, and fully accepts our "no drugs" rule. He has a plan for drug treatment that has been recommended for him, and my wife and I believe in him 100% about this.

I sincerely believe it is in everyone's best interest that Mike be at liberty so he can pursue these worthwhile goals. Jeanette and I pledge that we will be whatever help we can be to him.

I would be pleased to meet with you and hear how you think Jeanette and I can help this wonderful young man.

Thank you for everything you can do for Mike.

Sincerely,

Ethan Hawthorn
Hawthorn Reclamations, Inc.

#2 Sample Letter of Support

Sarah Farmer
1616 N. Fourth Street
Elkhart, Indiana 46516
574-980-8832
chantezfarmer10@gmail.com

January 25, 2020

Mr. Howard Stanley
322 N. Second Street
Elkhart, Indiana 46516

Re: Charlie Calhoun

Dear Mr. Stanley:

I want to share with you some observations about a new client of yours, Mr. Charlie Calhoun. Charlie has been my boyfriend for the past three years since we met at a church trip to Chicago. He's one of the most remarkable people I've ever known, and I'd like to share some of my reasons for saying so.

I've worked in the Accounts Payable Office of the St. Joseph Medical Center for almost four years. If you like, I can provide you with the names and contact information of several of my colleagues (including my superiors) who can speak about me.

I base my opinions about Charlie on seeing him almost every day in the last 3 years, including since his arrest three weeks ago. I feel he deserves every consideration to be released on a bail he and I can afford and to be given fair treatment in his case—and certainly no more incarceration.

There is no doubt in my mind that Charlie's terrible mistake in this case would never repeat itself. Of course, I learned of it only after his arrest. But I know from his circumstances and our difficult conversations afterward how much his financial desperation and fear of letting down his friend and roommate (Myron Paine) led to this out-of-character behavior. Even with the repeated requests from the undercover officers, Charlie would never have found (let alone sold) these drugs.

Here are just some of the admirable things I'd want you and anyone else involved in his case to know.

1. I'm absolutely not alone in my admiration for Charlie and my confidence in him. I hope you will reach out to two people in particular who will also speak extremely well of him.

One is Officer Alphonso Velazquez who has been a school resource officer at Elkhart High School for several years, including when Charlie was a student there. (His email is OfficerAVelazquez@gmail.com.) The other is his roommate, Myron Paine, 574-499-0128. Myron is a great and responsible guy who can share a great deal of good about Charlie.

2. Charlie has overcome an overwhelming set of obstacles in his life, including being totally rejected by his father, later also rejected by his mother at age 9, and sent 9 to live with his Great-Aunt Sophie who raised him.
3. He's been seriously depressed since that great-aunt's death last year. Even he sees how his judgment was so poor recently, something he's not wanted to talk about until now.
4. Charlie has had to deal with the memories of abuse by his mother's boyfriends (including very serious beatings) that led to his being sent to live with his great-aunt. He also had to see his mom beaten and deal with the guilt of not being able to protect her.
5. He was one of the few males in his neighborhood to graduate from high school. Whenever I meet members of his Elkhart High School class, literally every time, I hear how he was an admired and valued member of their school.
6. Charlie has never been arrested, not even for a traffic ticket. Until this charge, he's had absolutely no juvenile or adult arrest.
7. For all that Charlie has had to deal with, he never blames anyone else. He tries to think of ways he can do better, almost always for others. He's been a help to his friends and family in need and a regular member and volunteer at our church.
8. Finally, I have to share how much Charlie has already used this arrest to look at issues he wants to address in his life. Through no fault of his, he was reluctant in the past to follow up on my advice that he seek some help for issues he's been handed. But now he realizes he could use at least some counseling help. I know that if given the chance, he will follow through on continuing to improve himself in every way he can find.

Finally, I want to say my faith in Charlie is so strong that I have actually invited him to start thinking about a move toward our marriage. If anything, I believe in him even more based on our conversations over the past few weeks.

I hope you will be in touch to speak more about this remarkable young man.

Sincerely yours,

Sarah Farmer