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## LETTERS OF SUPPORT

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### I KNOW MY SON IS INNOCENT

by Velia Koppenhoefer

I am the mother of Efren Paredes, Jr. My husband, Hans, is Efren's step-father. Although our love for Efren is unconditional, our belief in his innocence is based on facts. I know it is difficult for people who have not experienced a wrongful conviction in their family to understand how easily an innocent 15-year-old boy can be convicted of a crime he did not commit.

Because of this, we understand why people may question the truth in my son's case; particularly those who have never read a page of police reports or court transcripts in the case and/or who have received their information about the case from the media.

As a parent, I feel deeply for the Tetzlaff family. I share their anguish and have lived with it every day of my life for the past 14 years. I also know how painful it is to relive that terrible event on the night of March 8, 1989. The tragedy of that night can never be changed, but the injustice done to my son *can* be changed.

Efren was raised in a well-disciplined home to tell the truth. My husband and I have always emphasized to our children the need to be honest, respectful and courteous towards others. We have often been described as strict parents or being overly protective of them because we imposed stringent curfews on our children, closely monitored what they watched on television and paid close attention to the people they associated with.

Our children's upbringing resulted in my two youngest sons pursuing successful careers and having no criminal or violent history. Efren was a high school honor student and went on to become a certified literary braille transcriber as an adult. Prior to his wrongful arrest for the Rick Tetzlaff murder/*Vineland Foods* robbery, Efren had no criminal or violent history of any kind. Even Efren's trial judge, Zoe Burkholz, acknowledged his positive upbringing and accomplishments during his sentencing hearing.

When I think of Efren and all he is going through, and when I think about the people who have been victimized by the real criminals who were allowed to go free or receive short prison sentences, I continue to fight for justice and my son's exoneration.

I know Efren is innocent of the crime he was accused of because Rick Tetzlaff dropped him off at our home after work the night of the crime. Rick then returned to *Vineland Foods* where he was senselessly murdered. Upon arriving home that evening Efren ate pizza and spent time talking to my husband and I in our bedroom. He then went to his bedroom where he slept until the next morning. Efren never left our home that evening.

Alex Mui, an admitted active participant in the planning and perpetration of the crime, claimed he—and not Rick Tetzlaff—drove Efren home from work the night of Wednesday, March 8, 1989. Alex Mui also claimed that when he dropped Efren off at our home Efren entered our home that evening with a grocery bag filled with over \$11,000 in cash and checks. Alex Mui's claims are complete lies.

Not only did Rick Tetzlaff bring Efren home the night of March 8, 1989, Efren did not have anything in his hands when he walked into our home. None of our children could walk into our home with a grocery bag and my husband and I not ask to view what was inside the bag, if for no other reason than to satisfy our curiosity.

Efren did not bring groceries home from work with the exception of occasionally a small item such as a few donuts, candy, or a pop. It would have been very unusual and totally out of character for him to walk into our home carrying a grocery bag and would have certainly prompted me to view the contents of the bag.

I also directly observed the car my son was in when he was dropped off from work. He was in Rick Tetzlaff's blue station wagon, and both of the car's headlights were working. According to testimony and Alex Mui himself, the car he was driving that evening—a blue Honda Accord—only had one headlight working.

Because I was in our living room when I observed the station wagon pull into our driveway, I had an unobstructed view of the car as it entered and left the driveway, and would have clearly saw if one of the car's headlights was not working. I also would have known if a car different than Rick Tetzlaff's dropped my son off.

When Efren arrived home the night of March 8, 1989 he was in no way distraught, nervous, or afraid. He was his normal self and there was nothing unusual about his behavior. Because of how much attention I pay to my children, and Efren having lived with me 15 years of his life, I would have noticed if something was bothering him; but there wasn't.

Alex Mui claimed Efren 1) shot Rick Tetzlaff, 2) exited the store to tell him he had killed Rick Tetzlaff, 3) returned inside the store to rob it of over \$11,000 in cash and checks, 4) returned to the car, and 5) that he drove Efren home, respectively. All within *five* minutes. Not to mention the fact that Alex Mui claimed he picked Efren up from work between 9:10 p.m. and 9:15 p.m.

According to this time line Efren would have arrived at our home at 9:20 p.m., since the store is less than five minutes away from our home. However, Efren did not punch out of work until 9:22 p.m. and arrived at our home at 9:27 p.m. (See **Case History**, for more information.)

No one testified at Efren's trial or provided police with information validating any of Alex Mui's claims regarding the evening the *Vineland Foods* crime occurred. In fact, Alex Mui's claims were repeatedly contradicted by other witness testimony. No one saw Alex Mui near or around *Vineland Foods* until *after* Rick Tetzlaff drove Efren home from work that night and no one observed Alex Mui pick Efren up from *Vineland Foods* or drop him off at his parents' home.

After the crime was committed a witness named Andy Dura also testified that Alex Mui went to his home alone and gave him the gun and money from the crime to conceal for him.

With no history of violence or criminal activity, Efren could not have committed a murder and robbery less than ten minutes prior to arriving at our home and not display some signs of guilt. This would be nearly impossible even for a career criminal, let alone a 15-year-old with my son's background.

The individuals who lied about Efren's involvement in the Rick Tetzlaff murder/*Vineland Foods* robbery admitted to participating in the crime themselves. One of those individuals was never charged with a single

crime, and one received six months in jail. Both were older than my son.

The prosecutor gave "deals" to all the truly guilty people who admitted their part in the crime. Two key prosecution witnesses received their "deals" in exchange for testifying against my son. Serious misconduct by the prosecutor, and the constantly changing word of admitted criminals who were trying to save themselves from lifetime imprisonment, resulted in Efren being sent to prison with three Life sentences.

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***My hope for the Tetzlaff family is to have peace. But none of us will ever have real peace until the truth comes out surrounding Efren's wrongful conviction. And, the truth will not be made known to everyone until my son receives a new trial free of errors and misconduct.***

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We are very grateful for the kindness and help of our friends and those who are now coming forward with valuable information about my son's innocence and the guilt of others. All we ask is for people to be honest and continue telling the truth about what they know regarding my son's case. No parent should be forced to experience their son being wrongly imprisoned for a crime he did not commit or spend precious time—often times years—proving his innocence.

My hope for the Tetzlaff family is to have peace. But none of us will ever have real peace until the truth comes out surrounding Efren's wrongful conviction. And, the truth will not be made known to everyone until my son receives a new trial free of errors and misconduct. ■

**THE CASE OF EFREN PAREDES, JR.:  
AMERICA'S CRIMINAL JUSTICE SYSTEM ON TRIAL**

by Derrick Smith

*"Injustice anywhere is a threat to justice everywhere."  
—Martin Luther King, Jr.—*

**F**alsely accused, tried, convicted, and sentenced to three Life sentences in prison without parole, at the mere youthful age of 15, Efren Paredes, Jr.—by the blatant default of our negligent criminal justice system—was flagrantly robbed of both his precious liberty and adolescence for a crime he didn't commit.

I came to know of this remarkable young man by way of reading a story he had written about disadvantaged youths which really captivated my attention and interest. At the time, I had just recently published a similar article with the same publication. After having inquired about him, to my surprise I discovered his youthful age as well as his unfortunate predicament.

I have since come to know Efren the person and interacted with him for well over seven years. I am astounded as to how someone his age, having endured all of what he has, could possess the strength, compassion, and sheer optimism that he does. I harbor a great deal of fondness, respect and admiration for this young man and view him as a blessed miracle.

Efren is a person that despite having to psychologically reconcile with being wrongfully convicted has also had to mature and progress within the most tragic and horrendous environment—an environment that by its very definition preys upon the young and weak. His unique strength, perseverance and determination have

seen him through the difficulties and challenges he has faced.

So much has been written and documented about Efren and his case throughout the past 14 years, yet so little has been expounded upon regarding the real essence of who this phenomenal young man actually is.

Unfortunately for Efren and society as a whole, his case and the enormous political ramifications it hosts have significantly influenced most of what has been written and reported about him and his predicament.

Despite conditions and circumstances that would have crumbled and defeated most adult men, Efren has been able to transcend them all. He has bravely championed the cause and struggle of not only those less fortunate than himself, but also those more fortunate.

Efren possesses wisdom and intelligence far beyond his youthful age and he has a special insight into the challenging social condition of our digressing and troubled society.

Rather than allow anger and bitterness to consume him, Efren opted to channel those emotions and energy productively for the overall betterment of humanity. He has a deep-rooted faith in God and he firmly believes he will one day regain the freedom which was abducted from him at the tender age of 15. Though he wishes he had not gone to prison for a crime he did not commit and played no role in, Efren believes everything in life occurs for a divine purpose; therefore, he vows to make the most of his time in prison.

While in wait of his freedom, Efren's selfless efforts have resulted in the organization of programs to facilitate the successful transition of many positive and productive young men from Michigan's prisons back to society. He uses his art and ability to teach, as his voice to the world and he harbors no self-pity for his misfortune. Efren has educated countless men, often much older than himself, but more than anything, he has rescued many from the doomed jaws of despair—rejuvenating their dying spirits so they can live a prosperous and righteous life upon their release from prison. In many ways, Efren has suffered tremendously so others could live a better life and learn something from his experience.

I feel it is only fair that this aspect of Efren's story be told. Ultimately the courts will write the conclusive chapter to this story, but it would be a malpractice of justice for his entire story to go untold. Efren is commended for his diligent work and effectively doing his part in our struggle to repair society. We should all appreciate him and the profound gift he and his efforts represent to us all, while also acknowledging the true merit of his character and uniqueness. ■

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## AMERICA'S YOUTH: IMPRISONED AND ENDANGERED

by Rahman Whitley

It is time America's justice system bore its share of responsibility for the criminalization of our youth.

Government at the state and federal levels is enacting legislation specifically targeting the nation's juveniles with progressively harsher criminal penalties, a trend that grows worse and worse widespread as young people are treated more and more as adults by criminal courts. This condition is fueled by the promotion of a "*get tough on crime*" attitude that seems to rely more on long-term confinement of juvenile offenders, and less on their rehabilitation and eventual return to society.

The juvenile violence afflicting our communities is taking a dreadful toll on our youth, whose behavior has come to mimic the brutality and destructiveness hyped by today's popular media, and who are condemned by a justice system quick to attack the effect, but slow to the cause. As a result, society is losing sight of the dangers inherent in a policy of locking away its children at increasingly younger ages for longer periods of time. Such a hard-core attitude tends to overshadow the real need—dealing with behavioral problems at their source rather than hiding them away—addressed.

Blind punishment is a very real threat stemming from legislation such as Michigan's automatic waiver law, which allows for children 14- to 16-years-old who are tried for serious crimes and convicted as adults to be sentenced to adult prison. This and similar laws put juveniles in an adult prison setting far too young, making such exposure possible in cases where a young person might not have seen adult prison at all.

Possibly the worst hazard created by legislation of this sort lies in the taking away of the discretion judges once exercised in sentencing young offenders to juvenile rehabilitation—the loss of a very necessary buffer between the juvenile and adult systems.

Adult prisons are no place for children who may be helped in the juvenile justice system; however, the growing fear of youth crime obscures the importance of this. Rather than the extinction of criminality of our youth, the focus today is one of cold storage, and so in the outcome convicted youths are finding themselves sentenced to the fullest extent laws allow.

The rush to lock away children for as long as possible poses a menace to innocents swept along in its wake. While such measures may seem to alleviate the problem, not only are children today adversely affected, but so shall their children and later generations be, who will be forced to suffer the repercussions.

Each new law geared toward waiving juveniles to adult courts to face tougher judgment and sentencing threatens children who could otherwise have futures, but more, the exceeding aggressiveness displayed by the courts risks the futures of those who do become needless victims.

Avoiding long-term harm is a matter of ensuring juveniles do not come to be viewed as unreachable, or worse yet, worthless as a whole. Safekeeping our young people requires that we prevent their falling prey to the criminal court system's voraciousness, as has happened to young men like Efren Paredes, Jr.

The 14-year ordeal Efren has been forced to endure since his conviction in adult court is evidence of the legal system getting out of hand—when a young honor student with no criminal history is callously waived to adult

court, to be convicted and sentenced in the absence of decisive evidence of guilt, then necessarily must we take steps to right this wrong.

Efren's story is one becoming all too common; however, he refuses to submit to the injustice done to him and, rather than remain another anonymous statistic, Efren fights to reverse his wrongful conviction and return to the community as a valuable and productive member.

Efren's education and employment prior to and during his incarceration have developed in him a strong foundation in education, upon which he readies himself to pursue success outside prison walls. Efren is determined not to succumb to despair over his condition, and so continues his struggle in the courts.

Still, the forces binding Efren to a life of incarceration will not willingly relinquish hold. No matter the evidence he has gathered revealing the truth of his innocence, the courts thus far have maintained a stubborn sightlessness to their mistake and must be made to see the error done. For this, Efren is in search of the assistance of those who are capable of helping.

Who can help? Those who do not wish to see our youth mishandled, and who are weary of the throwing away of their young lives; those who do not wish to see an adult prison system populated by young people like Efren whose freedom and opportunity to live their lives have been stripped away.

At this stage of his struggle, the information Efren sorely needs, concerning cases similar to his own, legislative information and news of like situations also, could assist favorably the strengthening of his case. Proper help could be a deciding factor in Efren reclaiming his freedom or remaining imprisoned for the whole of his adult life.

Efren is a young man whose innocence and potential to be a beneficial force in the community demand that his life be returned him, for his own sake and for the sake of all those his skills will benefit. ■

**BLIND JUSTICE**  
by Kwasi Akwamu

In today's America, it has become nearly impossible for anyone to not see the criminal justice system (CJS) as anything other than a monstrous machine. The fact is, the CJS has grown so large and complex that it has given an entirely new meaning to "*justice is blind.*" It seems that the fervor for "*law and order*" has generated an indiscriminating and insatiable appetite, whereby the machine voraciously consumes, and must consume, human bodies, without any real regard for innocence or guilt (i.e., truth and justice).

Anyone who reads the records and statistics of arrest patterns, court proceedings, incarceration rates, etc. will be startled. Law after law is enacted, feeding into a politically-generated frenzy to "*get tough on crime,*" even while the government and the media continuously reveal that crime rates are decreasing every year, especially

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in the categories of violent offenses. Yet, if we search for truth then it isn't hard to find.

America is currently and popularly recognized as experiencing an economic boom, and has so for the past few years. Certainly the availability of new jobs, many with decent, life-sustaining wages, has had something to do with the decreasing crime rate. However, the politicians and agents of the CJS continue to assert that their "*get tough*" policies are the cause. But, we'd be sadly mistaken to think that certain crime (e.g., drug dealing, robbery, etc.) would not exist in a desperate economic situation.

Everyday the CJS swallows the whole bodies of innocent parties to crime. Its appetite dictates that it consume at a regular, and rapidly growing rate. Its blindfold has come to disregard whether those going into its expanding stomach are actually guilty of any crime. Accusation is now enough, and certainly by now we've all heard of the games that prosecutors play: the tampering of evidence, the manipulation of witnesses to corrupt testimony in order to influence the jury, etc.

I remember the first person I met who was—and remains—innocent of his charged offense. He was—and still is—in prison for armed robbery, serving seventeen years to Life. He has several others sharing the same crime and charge, yet is not personally acquainted with any of them! They all had separate trials; a couple pled guilty for less time, while the rest were found guilty through a trial. However, my friend received the most time and didn't even know what happened.

Worse, still, while his unknown co-defendants were sentenced to five years or less each, he is the sole person from the convicted group still in prison. That the others were actually guilty of the charged offense was established in their own testimony and/or guilty pleas, where information surfaced implicating them. As for my friend, he was apparently consumed as dessert for the machine. My friend was the first innocent person convicted of a crime that I met, but more were to come.

The most striking case of an innocent victim of the CJS is that of 30-year-old Efren Paredes, Jr. This young man was sentenced to three Life terms for an armed robbery and senseless murder he did not commit. To date, he has been incarcerated for over 14 years, originally arrested at age 15.

Paredes, like the scenario above, shares a crime and charge with some others. Unlike the above case, however, is the fact that while Paredes was a juvenile railroaded through an adult court proceeding and found guilty, these "*others*" were charged with the exact same crime, pled guilty and were sentenced to their own terms of imprisonment *after* Paredes had already been convicted.

With the prosecutor's theory of the crime being that only one person killed the victim in the Paredes case, and Paredes already having been convicted of the murder and armed robbery, it is absolutely mind boggling to even attempt to understand how three others would plead guilty to the very same crimes Paredes was convicted of *after* he was convicted—especially the murder—unless they were the actual perpetrators of the crime or had some direct involvement.

Interestingly the individual who pled guilty to the murder Paredes was convicted of—Eric Mui—was 1) the owner of the murder weapon, 2) was found to be in possession of money from the armed robbery, and 3) owned the car which was used in the commission of the crime. Mui's brother was also found to be in possession of money directly linked to the armed robbery and newspaper clippings which covered the crime.

In a statement provided by Eric Mui's mother, he left their residence, along with his brother, Alex Mui, around the time the crime allegedly occurred. He had every reason to plead guilty to the crimes he was charged with in exchange for a lenient sentence in light of all the incriminating evidence pointing to his guilt.

In a nutshell, Paredes was convicted based on the testimony of an admitted murderer and accomplices to the same murder Paredes was charged with. There are no eyewitnesses to the actual murder, and the case against Paredes is purely circumstantial. Without the testimony of these individuals no conviction could have been secured against Paredes.

Paredes has filed several appeals, all of which have, to date, been denied. Currently his appeals struggle continues in the Michigan appellate courts. Yet, his opportunities to be vindicated from this wrongful conviction are limited. As a result of Congressional legislation in 1996, this current appeal pursuit may be Paredes' last opportunity to prove his innocence.

Before his arrest and conviction, Paredes had no criminal record. He was active in school, a regular honor student. His pursuits before his arrest were strictly academic and have remained so during the course of his 14 years of wrongful incarceration.

This young man must not be condemned to serve out the rest of his long life inside the bowels of a prison for a crime he did not commit and others have pled guilty to. However, his promise for vindication is dependent upon the support of law-abiding citizens, who will critically examine the evidence for themselves and seek ways of convincing the courts to release him.

You are encouraged to spread the news about this web site and Paredes' wrongful conviction to as many people as you can in hopes they too can learn something from Paredes' experience and take the necessary steps to avoid such a nightmare from occurring in their lives. Awareness in many cases can be enough to make a difference between a lifetime of freedom and prosperity or a lifetime of incarceration and oppression. Hopefully this web site can make a positive difference in the lives of members of society. ■

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### **A CASE FOR THE BENEFIT OF DOUBT**

by Nathaniel K. Owusu I

A couple years ago, Hillary Rodham Clinton, former First Lady of the United States of America, authored a book that she titled, *It Takes a Village*. Its premise was the traditional, time-tested African proverb which states, in its full text, "*It takes a village to raise a child.*" What this means, of course, is that children belong to the community, therefore, it is the community's responsibility—not merely the biological parents'—to raise its children collectively.

The proof this proverb was not merely an empty traditional saying is the fact that, by extension, there were no institutions in Africa known as orphanages, or even convalescent homes. The axiom, "*It takes a village,*" truly

reflected a core value of traditional African culture. Hence, we ask these questions: Did Hillary Rodham Clinton's book reflect a cultural trend in American society? Does America truly embrace all of its children as her children, and if so, does she bear responsibility for their welfare and life circumstances? Does she even acknowledge the circumstances that she creates for her children? Indeed, does America have a vested interest in a positive future for her children?

Efren Paredes, Jr. was 15-years-old when he was charged with homicide, and ultimately convicted and sentenced to three Life sentences. It matters little whether the sentences were meant to be served concurrently, for one Life sentence in Michigan is tantamount to a death sentence. What does matter, however, is that Efren insists he's innocent, and has maintained nothing else since the juvenile justice system turned its back on another one of its children, handing him over to the adult court system. Given the evidence brought forward that surely raised a reasonable doubt as to Efren's guilt, it can be argued compellingly that any doubt should have operated to at least prevent Efren's waiver from juvenile to adult court; it should have never taken place.



Certainly, it is this kind of case the juvenile justice system was designed to prevent from being prosecuted as adult felonies. Instead, and quite regrettably, the juvenile system failed Efren, in effect, consigning him to the criminal justice system for death. As Hillary Rodham Clinton's borrowing of the African proverb should be understood, the village works to save the child, not become an accessory to the child's own killing which amounts to infanticide. More disturbing, in Efren's case, it was infanticide as a response to homicide!

The social-cultural context we find ourselves living in abounds with "*get tough on crime*" rhetoric that has ratcheted-up America's response to criminal violence. Truly, a "*throw-away-the-key*" mentality has gripped American culture, and the notion of compassion—especially for her young—has all but disappeared from the discussion. The result has been a hardening of America's heart. She openly demonizes her children as "*punks*" and "*predators*" for whom special prisons—instead of training schools—have been constructed.

The age at which a child can be tried as an adult has steadily decreased in proportion to the increase of the use of mean punishment for crime. In some states with the death penalty, children as young as nine can be executed. And one needn't mention the prison-industrial complex that has burgeoned into Wall Street stock options. At some point, this society that is supposedly responsible for the welfare of its children must realize that the discussion, rhetoric, and inevitable criminalization of its youth have gone too far afield.

No society can reasonably argue that the criminalization of its youth is a sane, healthy response by the village—particularly since the village is at the same time denying any responsibility for the violence it now punishes so viciously. Indeed, if Efren is guilty beyond a reasonable doubt of the crimes with which he was charged, then America is equally guilty beyond a reasonable doubt. Who, then, will hold her accountable? The children? What children? Inanely this society is creating an era when youth is fast losing its innocence.

Miraculously, Efren has developed compassion under circumstances designed to be totally dehumanizing. And because he has compassion—as a spiritual quality that has sustained him in the face of legal betrayal—he is motivated to extend the benefit of the doubt to others less fortunate. His braille work for the blind is

motivated by his love for humanity, not for money. His patience with those he teaches; his love for those he calls friends and brothers; his continued faith in a system that betrayed its fundamental standard of compassion for its young and reasonable doubt for the accused, especially the accused young—these, too, are fruits of compassion. This is Efren—the child of the village, its reflection of value and hope. Efren is the truth America has made into a lie. He is the vision, the true meaning, of Hillary Rodham Clinton's book.

Have compassion, therefore, to save the children—beginning with this one man-child, Efren, who now lives to save the village. ■

## JUVENILE JUSTICE?

by Kenneth Alexander

One of the most urgent social issues that the United States must address is that of the processing and overall adjudication of juvenile youth in the criminal justice system, and the treatment of her young in general, who are expected to total between fifty and sixty million of the nation's population by the year 2005.

Recent legislative reforms nation-wide regarding juvenile justice procedure is by-and-large the reaction to a sudden wave of youth violence which first noticeably emerged nationally around 1991. Since the beginning of this unprecedented criminal trend the nation has witnessed a surprisingly sharp rise in the crime indexes of robbery and murder committed by young adults, teenagers, and in recent cases, even adolescents.

But is the proper response to the unprecedented crime wave being perpetrated by the nation's young, the forced criminalization of this segment of our population?

In 1996, the Michigan legislature enacted dual legislation that prior to its codification allowed the Michigan juvenile courts to operate during criminal proceedings within a framework conducive towards juvenile rehabilitation potential, and which excluded any single factor in a case being given more weight than any other. The legislation, Juvenile Justice Reform Package (Juvenile Justice Act), has distinguished the State of Michigan as being home to the harshest laws regarding young offenders being processed in juvenile courts.

Since the passing of the 1996 reform laws, no longer can it be said in good faith that Michigan juvenile courts are procedurally oriented around the purpose of rehabilitating youthful offenders. Now Michigan has no minimum age requirement for "*designation*" cases in which certain juveniles are tried as adults in family courts.

This legal fact is personified in the Oakland County case of Nathaniel Abraham who was 11-years-old at the time he is alleged to have committed murder. The Oakland County Juvenile Court waived Nathaniel to be tried in the adult Circuit Court where it is both possible and probable that he will be sentenced to adult prisons beyond his twenty-first birthday. It is exactly this type of fast track court processing from the juvenile to the adult court level—and ultimately into prison—that should be the biggest cause of concern to society.

What makes the Michigan reform laws especially draconian is the inherent provision eliminating the previously exercised option of the courts to send convicted juveniles to alternative settings, such as boys training schools or any other strictly regimented behavior modifying program for those convicted of certain crimes.

The consigning of a large portion of America's young to adult prisons is not the answer to addressing the apparent crisis of our children today. Society as a whole, must bear some of the responsibility for those youth who, not knowing better, feel they can emulate both Hollywood-borne action figures who kill on screen with license, and home video entertainment action, with impunity.

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America has bred a nation full of blood-thirsty children, immature in cognitive and psychological development, who are simply mirroring their culture in a very costly way. The original design and process of the juvenile courts should be reaffirmed and applied to its fullest extent in all cases regarding these same children.

The waiver of any child or teenager from the juvenile justice court to an adult court procedure and ethos guarantees in all but the most exceptional cases, the mental and spiritual deterioration and demise of that youth once he or she is remanded to the adult penitentiary. Eventually these children will be released as adults, but the question of the hour should be, *"What type of person will society eventually have to contend with?"*

When society looks for atypical examples of juvenile acclimation to adult prison life, the case of Efren Paredes, Jr. stands out as symbolic to the potential achievements of such youths waived to adult punishment who are fortunate to have life direction and driving enterprise.

Efren's history being incarcerated can best be characterized as that of an individual—a very young individual—quickly making the transition from society to prison life a productive and beneficial one. Whatever rehabilitative programs and offerings prison had or continues to offer, seemingly he has capitalized on.

The list of achievements Efren has met over his prison term are all meritable, but probably the most significant of all is the fact that he has earned the certified literary braille transcriber credential from the Library of Congress which enables him to work for society's visually impaired through the process of braille transcription. The braille skill Efren has acquired undisputably offers a return value for society and thus makes him a valued member of society. In short, Efren is worth returning to society.

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I have known Efren for five years and I can honestly say that I have never witnessed—or heard of—him behaving in either an immoral or unprincipled manner. Efren has impressed me as being conscientious, spiritual and one who constantly pursues knowledge. It is beneficial, and edifying, for me to be acquainted with Efren on a daily basis, whereas his positive nature always serves to keep me grounded in the process of human growth and development. I consider it a privilege to contribute to the campaign to release Efren Paredes, Jr., and I pray that justice descends upon his case. ■

## JUSTICE DELAYED IS JUSTICE DENIED

by Saul Garza

"Juries seem disposed more readily to credit the veracity and reliability of the victims of an outrage than any amount of contrary evidence."

—Prof. Edwin Borchard in his 1932 classic,  
"Convicting the Innocent"—

### NO REGARD FOR INNOCENCE

**M**arch 15, 1989 fifteen-year-old Efren Paredes, Jr. was arrested for the murder of Rick Tetzlaff and robbery of Vineland Foods. Three other juveniles—Eric Mui, Alex Mui and Jason Williamson—were charged in the case as well. After their arrests the juveniles pointed to Efren as the person responsible for committing the crime. The three juveniles would later enter guilty pleas to armed robbery, and one would plead guilty to murder.

Between the time of his arrest and subsequent trial—a time span of only three months—dozens of newspaper articles and daily radio and television news broadcasts were released about Efren and the crime he was accused of perpetrating. A myriad of inaccuracies about Efren and the case were often reported. Many of the inaccuracies were fed to the media by the Berrien County Prosecutor's office and never corrected. After a trial fraught with prosecutorial misconduct, juror misconduct and ineffective assistance of defense trial counsel, Efren would be convicted twice and sentenced to three Life sentences: once in the media, and once by a jury led by a foreman who had an interest in convicting Efren.

A review of Efren's case reveals a number of unexplained problems and questions. Unquestionably there exists overwhelming evidence of Efren's innocence and minimally the clear establishment of reasonable doubt. For a jury to conclude Efren was guilty of the charged offense based on the evidence and witnesses presented at trial causes one to seriously examine their intent and willingness to view the evidence in an unbiased and unprejudiced manner. Certainly reasonable doubt existed in the mind of at least one juror about Efren's innocence. However, despite that doubt each juror surrendered their powers of reason to an outraged and fearful community they had to return to after the trial. This is only one of several reasons Efren's trial should have been conducted in another town or county.

According to Barry Scheck and Peter Neufeld in their book titled "Actual Innocence," crime statistics have indicated that 73% of juries will vote to convict even when admissions from defendants have been repudiated by the defendant and contradicted by physical evidence. Many of these contradictions can be viewed in Efren's case by way of contradictory statements provided by the accused towards Efren, along with conflicting time tables and stories of events offered by Alex Mui about the time he claims the crime occurred. The result was a case

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prosecuted based solely on uncorroborated testimony and circumstantial evidence, not to mention admitted perjury on the witness stand by one of the prosecution's witness.

Eric Mui, Alex Mui and Jason Williamson have maintained since their arrests that statements they provided to police about the crime and Efren were all coerced. The ages of the teenage boys alone made them easy prey for interrogation tactics used by police. Confessions could easily have been fabricated or coerced from the boys with minimal resistance. It is relatively easy for police to instill fear in youth. Police can threaten them with stories of going to prison if they do not answer questions, coerce them into believing they will not be charged with a crime if they cooperate, and mislead them about their legal rights. Teenagers are at many disadvantages in this situation.

"Criminal Interrogation and Confession," a police interrogation training text authored by Fred Inbau, a professor of law at Northwestern University, and John Reid a former Chicago police officer, explains the way interviewers seek to dominate the minds of their prey. Outwitting their opponent is done at any cost. Strategies include capitalizing on the physically exhausted, emotionally distraught and the mentally confused. This enables interviewers to suggest issues to the interviewee to obtain false confessions and manufactured stories.

The history of police interrogations and its abuses bears witness to many people being coerced by police to make statements and confessions against their will. This is reflected in the large number of people who have been wrongly convicted of crimes and subsequently exonerated. Many states have called on police to videotape interrogations in an effort to deter future abuses.

#### EFREN PAREDES, THE PERSON

I first met Efren in September 2000 at Michigan Braille Transcribing Fund (MBTF), where both Efren and I are employed. I was only 2½ years into my prison sentence at the time.

Prior to meeting Efren, the time I had served in prison was quite the learning experience. Life seemed to be set within murky waters, lacking sustenance and someone positive to connect with. Experiencing daily encounters of backstabbing and hypocrisy by fellow prisoners posing as friends became all too common. I also witnessed prison guards routinely harassing prisoners and degrading them. At times I found myself beginning to lose hope that anything positive existed in prison.

Meeting Efren and befriending him significantly altered the course I was traveling in prison and my outlook about life. The murky waters familiar to me soon crystallized. Seeing and experiencing life through Efren's eyes has taught me that no matter where life leads you, there will always be a positive avenue to venture on. He encourages others to focus on creating their own realities and not living in the negative realities created by others. It is Efren's contention that we allow ourselves to be affected by others; they can only affect us to the degree we permit. Once we understand and accept this we can put it into practice and completely change our outlook on life and how we deal with people and situations.

An avid reader, Efren is always looking for a new book to read and journey to explore. Many of the books he reads are in the self-development, motivational, and educational genres. Efren and his family and friends purchase most of his books, which he often shares with others. He has helped lead many to the path of self-discovery and discover strengths and special qualities within themselves previously unknown to them. There is rarely an occasion when Efren does not find a way to interject something positive or edifying into a

conversation. It is seemingly natural for him to do so.

Efren possesses a unique teaching ability which surpasses any teacher I have known. A colossal amount of enthusiasm is poured into any project he partakes in, never once displaying self-centeredness or desiring sympathy for the amount of time he is sentenced to. To Efren there is never a task too difficult to accomplish or goal too great to achieve. These are just a few of the remarkable traits among many which Efren exhibits.

Efren is a gifted individual who contains a brightness within which many free persons in society can only dream of having. Through his employment at MBTF, Efren is able to teach fellow inmates the know-how of producing an exquisite product—braille transcription of print textbooks—for blind students, by way of a rich optimism which he radiates. This in turn endows the incentive to anyone around him.

If asked to summarize Efren with five words, I would have to say, loyalty, kindness, love, knowledge, and friendship.

Although serving a prison sentence is a bleak situation, I have been blessed knowing Efren Paredes, Jr. I can honestly and proudly say that I have not just gained the company of a friend, but the love of a brother. ■

### **A FRIEND INDEED**

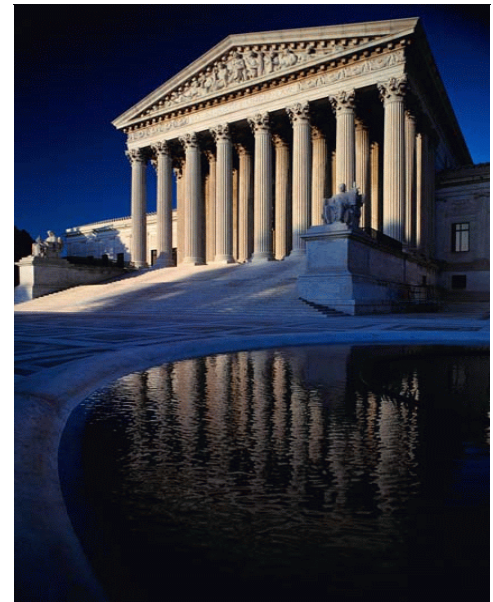
by Rosh H. Holmes

One ordinary day, if such a day can exist in prison, as I sat alone at a cast iron, four-seater bench that was painted a hasty beige, I was approached by a young man. He was well groomed, his prison issue attire neat and clean. He had an unusually pleasant aura about him. From seemingly nowhere, he pointed at a book I had lying face-up on the table and asked, "What's that book about?" His question caught me totally off guard. I wasn't at all prepared to conduct a lecture on Ancient Egyptian theology.

I did my best, hoping I had not rendered the field of African studies gross and undesirable in the eyes and heart of this young and inquiring scholar. Over the course of the next year or so I found myself engaged in brief, yet frequent conversations with this young man. We exchanged names and picked one another's brains regarding the subject of Ancient Egyptian Science, which I soon learned that this gentleman was extremely advanced in, theology in general, and various other mundane topics about life.

It was approximately two years before I truly found out the full extent of this young man's knowledge of history and his remarkable insight on life itself. This extraordinary person's name is Efren Paredes, Jr.

It isn't simply Efren's vast awareness of academics which impresses me. I'm most astonished by his intrinsic love of life, and deeply rooted respect for humanity in general. I've learned that he has dedicated years of his incarceration helping others. Efren has obtained his high school equivalency degree, acquired college credits and earned a Literary Braille Transcriber certification by the U.S. Library of Congress. He is currently working on a separate certification in the field of braille transcription which will allow him to translate into



braille the most complicated science, math, and biology textbooks.

It would be several months after meeting Efren before I discovered he has been proclaiming his innocence and fighting for his freedom for nearly 15 years. It saddened me that a man barely 30-years-old has had to suffer such a fate for over half his young life. I never revealed my concerns to Efren about this, mainly because one of his foremost philosophies is, "You have to think positive. Don't allow yourself to have negative thoughts. That way, you always keep your spirits high and stay focused."

I look around prison and observe the adverse effects it has on so many subjected to its inherent turmoil. In my opinion, this is another arena in which Efren excels. I have observed that after ten years the methodic and unrelenting grip of prison stress and anxiety corrodes even the most reinforced barriers erected by the imprisoned. Efren, with the aid of loyal friends and dedicated, dependable family members, has managed to elude the trappings of prison existence which conquers the minds and emotions of the lesser equipped.

I can honestly state that in my life, I have yet to encounter a person who possesses all of Efren's endearing traits in the excessive quantity which he so effortlessly portrays. Efren is truly an outstanding young man, a truth to which anyone who has had the pleasure of meeting him can attest.

I can't completely finger which specific aspect of Efren's unique character impresses me most. If pressed to choose just one of his lofty traits I would have to point to his ability to cope so gracefully under the most extreme circumstances of which man can conjure up to pit against man.

It is my gracious pleasure to have come in contact with Efren. I am certain I am the better for it. If the remainder of the world is as fortunate as those of us who have come to know Efren, they all will realize firsthand what I have come to know over these past few years—that he is a remarkable man who can express so much love and hope under the conditions in which he has lived his last 15 years. We should all pray that Efren, his family, and those blessed souls who have dedicated their precious time to aiding his cause, will win their determined fight against injustice.

I at times find myself surveying various personalities in prison, wondering how, if at all, could or would particular individuals transition into open society. Like it or not, this is one of the abilities granted the observant in my situation—the ability to discern the more subtle of human characteristics.

I have witnessed many instances where prisoners project one image while incarcerated, but immediately revert to base behaviors upon release. It really has to do with total characteristics rather than a single facet of one's socialization. In short, a well-rounded, thoroughly disciplined prisoner equates to a well-rounded, thoroughly disciplined citizen. In my personal opinion—and I would not have offered this epistle if not my most firm belief—Efren's release from his current bonds would not only benefit his immediate community, but society as a whole as well.

Fundamentally there are two types of citizens, there are givers and there are takers. Although each of us possesses certain amounts of each, our outward personalities are dominated by one or the other. Efren falls comfortably into the category of giver. This young man has great vision, and where there is vision there is hope, where there is hope there is a future. Efren's release would not solely be a benefit to him by presenting society to Efren, but as well, a benefit to humanity, by awarding the civilian world with a truly worthy son.

I thank each person who donates their energies to reading these words, and all who support and assist my new and lifelong friend with his quest for liberty, justice and a better life for himself and others. ■

## MEASURE OF AN INNOCENT MAN

by N. Kalonji Owusu I

I knew Efren even before I knew him, as strange as this may sound. The mutual interest of finding creative, productive ways to help young prisoners transform themselves spiritually is what brought us together through the mail. This was in 1998. What impressed me deeply, at the time, was Efren's abiding concern for other young prisoners, despite his own three life sentences. It seemed he placed this concern above his own freedom-fighting efforts, for it was well after a year when he told me, first, about his convictions, then sometime later yet, that he was innocent of the crimes for which he'd been convicted.

Apart from my own formal education and informal schooling, circumstance has made me somewhat of an expert in human behavior, particularly as it manifests in the prison subcultural context. Holding three college degrees—including a master's—has equipped me, somewhat uniquely as a participant-observer, to objectively analyze prisoner behavior and assess such behavior in terms of group values and norms that give rise to a structure of coping and adaptive strategies. Within this context, many prisoners—90% of whom are incarcerated as the result of guilty pleas—play games; they often lie about and minimize their own crimes while denigrating others and their crimes. And, yes, some even claim to be innocent, but surprisingly, this number is comparatively small.

Then, there are those—a breed apart, a cut above—who claim to be innocent and truly are. The prison system, of course, is ill-prepared to identify these individuals—to make the distinction between those who claim to be innocent, but are not, and those who truly are—for it assumes, as a matter of fact, that every convict is guilty by definition. This assumption, however, has proven to be faulty in light of the increasing number of "convicts" being exonerated nationwide, on an almost weekly basis, by DNA evidence after serving many years in prison, even on death row and narrowly escaping execution for crimes they didn't commit. Irrespective of their actual innocence, the one outstanding and distinguishing feature common to all of them is their unrelenting, uncompromising insistence of wrongful conviction. There is a certain palpable conviction, a perceivably grievous injury along with an almost contagious optimism, that accompanies their claim of innocence and belief that justice will eventually prevail. There is, indeed, a qualitative difference in their plea for the injustice under which they languish to be rectified.

The point that the wrongfully convicted are uncompromising in their claim of innocence, often to their detriment, was beautifully, even movingly, expressed in a letter I received recently from Efren, in which he stated:

"I am scheduled to see the parole board in March. Seems like they see me every few years. This will be my third interview. ... [T]his time they have even requested a PER (Parole Eligibility Report) be prepared. I certainly don't anticipate them giving me any serious consideration. Each time I have seen them, I tell them I didn't commit the crime I was convicted of and they terminate the interview. It won't be any different this time. I am not admitting guilt to something I didn't do. I will still go to the interview though and hear what they have to say."

This affirmation demonstrates a consistency of character that, in the absence of any scientific measure of

dissembling, is often the very proof of truth. In it there are certain subtle, yet discernible, nuances of character that speak louder than any objective proof of actual innocence.

The same uncompromising disposition was evident in Efren's character when we finally met in 2002. A meeting that, for all purposes, seemed a reunion of old friends which revealed to me, in just a few short hours, just how well-respected he is by staff and fellow prisoners. But, what would be even more dramatic, and telling, was seeing his cheerful exuberance on display while confined in one of the most oppressive prisons in Michigan. Again, his unwavering disposition under such oppressive circumstances was, to me, yet another validation of his actual innocence.

It's one thing to be wrongfully convicted of murder, with no hope of parole, and to continue believing in the very system responsible for the miscarriage of justice. This feat, in itself, is remarkable. But, it is something else altogether to also be subjected to brutal conditions of punishment, on a daily basis, while maintaining an optimistic outlook and steadfast faith that justice will prevail. Yet, this is exactly what one sees in Efren day after day. Certainly, this is what I saw, and, informally, my observation is based on 31 years in prison assessing and weighing the character of many individuals whose realities are unlike, and inimical to, my own; where not being able to discern one's hidden, petty motives could result in the loss of limb or life over a nickle or a dime.

What we're really talking about is how one wrongfully convicted gets others to believe that he's actually innocent despite "facts" to the contrary. And, earlier, I alluded to what I think are some of the factors that foster such a belief. With no pun intended (e.g., that he was a mere child when arrested, charged, and eventually convicted), I assert that Efren is the poster-child for how this task is accomplished. Simply put—you can't meet him and not know that he's innocent! It's the subtle nuances of his character that make the case loud and clear. I've never known a better friend, or one who so powerfully reflects the failings of the State in matters of juvenile justice.

But, alas, who am I to presume to be a credible advocate for the innocence of a fellow prisoner whom I regard as my best friend? Oh, just one of many "convicts" who wouldn't dare make such a claim for myself! ■