

Earl Eastridge, Dad
675 King's Highway
Fredericksburg, VA 22405
November 10, 2000

John Ashcroft, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Ashcroft,

My son, **Joseph Wayne Eastridge**, Inmate #179-164, has been serving a sentence since 1975 for a crime he did not commit. I realize this may seem to lack credibility, as I am his father, but I am by no means the only person who knows that he is innocent.

Centurion Ministries, which seeks justice for innocent prisoners, chose to work on my son's case over literally thousands of requests that they receive. They have freed 24 people who were serving life or death sentences. They haven't been successful in my son's case, despite a successful investigation that produced much evidence from many sources of my son's innocence. They can be contacted at 221 Witherspoon St., Princeton, NJ 08542 - Phone: 609 921-0334 for any additional information you may need.

Not only does Centurion Ministries know that Wayne is innocent, but his lawyers from **Wilmer, Cutler, and Pickering** know this too, as they have worked for him pro bono for the past ten years. They have worked pro bono solely because their own review of the record and facts of the case led them to the belief that he is innocent. They are also willing to provide briefs if needed.

A **parole officer** who released another of the defendants remarked that he had studied all of the transcripts and couldn't understand why they were in for first-degree murder in the first place. In fact, the other defendants were released five years ago, while my son is still in prison.

Two of the **actual killers** signed affidavits admitting their part in the crime and describing the details of the act - testifying that Wayne had nothing to do with it.

In the DC court system, he has been procedurally barred from moving forward, even though **two judges** admitted that he was not the murderer, with **one judge** musing during oral arguments, "Are we to let an innocent person remain in prison because of procedural bars?"

Apparently the answer has been a resounding yes. This is chiefly because he was convicted in Washington DC. Washington DC defendants do not have the same access to justice that citizen defendants have in all the other states. During the actual trial, due process was ignored, as **evidence of innocence** could not be presented because of a **rule that precluded introducing evidence which could incriminate other jointly-tried defendants**. Other evidence was manipulated to apply to **all of the defendants** instead of the guilty ones. **Conflicting testimony** between a police officer's mistaken observations and that of an FBI agent whose precise forensic evidence contradicted the policeman - in Wayne's favor, was ignored. When a **broadly representative jury** was initially impaneled, the next day the **prosecution manipulated the court** by claiming that it had a new witness (who was never forthcoming) as a means of getting a new jury by using racially-motivated peremptory challenges to impanel a jury which did **not** represent a cross-section of the community as the first one did.

And so a **foolish and tragic chase** following the **shooting of a friend** was given overtones which all but guaranteed a conviction for first-degree murder in a case which manifestly had **no elements of premeditation**: A bunch of drunken revelers getting into a stupid fight which ended in tragedy. Not to mention the fact that Wayne had **nothing** to do with it.

At the time of the crime, Wayne had no previous criminal record, was a high school graduate, had **spent three years in the army during the Vietnam conflict**, and was honorably discharged. Wayne put his life on the line for freedom and justice. He was on a **support team for paratroopers**, delivering supplies to units in Vietnam. His prison record, after a few early glitches, has been exemplary.

I myself also served in the U.S. Army from 1941 to 1945, during World War II, and so feel that serving one's country during wartime should merit an honest effort by authorities to be fair in a situation like this.

In this age when DNA testing has been able to prove beyond a doubt that mistakes are made, we are seeing almost daily that people are vindicated from death rows and life sentences. We know that the **system makes mistakes**, leaving many to languish in prison because they don't have evidence that can be scientifically tested to prove that they are innocent. In this case we have **excellent new evidence**, not only of a **concrete** nature, but also of **procedural errors** that kept some of this evidence from being presented at the original trial. However, for all of these years, we have been unable to get our extensive evidence considered in an **objective forum**.

The Incident: Wayne and some friends simply went to a party at a place in Arlington where they had never been before, and then ended up at a nightclub where there was a fight. The gentleman who was later killed went to his van and **got a gun and fired indiscriminately** at the men, hitting one of them. Then, when his gun jammed, the shooter ran away, chased by the men who committed the crime for which Wayne was charged.

Wayne was innocently drawn into the situation when the driver of the car he was in **picked up a juvenile who had participated in the killing**. Being in the wrong place at the wrong time, Wayne has since spent twenty-four of the best years of his life in prison. All of the others have long since been released, with the juvenile serving three years and the principal stabber, whose Bowie knife was found nearby, was never even prosecuted.

This has been a horrible twenty-four years for our family, as we have tried again and again to prove that Wayne was not involved in the killing. In order to visit him, we had to travel to Atlanta, Fort Leavenworth, Lewisburg, Lorton, Texas, Tennessee, back to Lorton, and finally to Youngstown, Ohio, where he is now.

As I am now 83 years old, much of this traveling took place while I was far beyond the age when I could have retired. His mother is now in a nursing home, and it is questionable whether she will even be able to recognize him when he gets to see her once again. I'm really tired, and would like to have a few remaining years with my son, and would like him to see his mother again before she passes away. He deserves to be home with his family.

When Wayne gets out, he has a job, an aunt left a house to him, he has much community support, and he will be a good citizen for the rest of his life.

We hope that you, Mr. Ashcroft, and your Department of Justice, can work with us to remedy this long unfairness, and give us true justice. The following verse from Micah might be applicable in this situation, as we hope that you will do *"...what is good..., to do justly, and to love mercy, and to walk humbly with thy God"* -Micah 6:8

Thanks for taking the time to read this.

Please help us.

God bless you,

Earl Eastridge, Wayne's Dad