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Dear Mr. Adams:

I write you at the suggestion of President George H.W. Bush.

This story starts 25 years ago when I played baseball against a physically imposing, but gentle, young man named Willie Mays Aikens. Although he experienced some success in Major League Baseball, he squandered his opportunities because of his drug addiction and subsequent actions that caused him to be imprisoned. He acknowledges his mistakes and now seeks to put his life together to serve his community and his family.

I have been blessed with family and support Willie did not experience. I write to you because my blessings make me want to do what I can to help a good man, who has faced his demons and overcome them, return as a contributing member of society. As someone who works with children in youth baseball, I know Willie can bring young people a tremendous message aimed at discouraging their involvement with drugs. I hope this letter and the facts that follow will cause you to feel that, after serving more than 10 years in prison, Willie Mays Aikens deserves clemency.

Twelve years ago, at the height of public fears about the violence associated with the spread of crack cocaine, Willie Mays Aikens was arrested and convicted of selling crack from his residence in Kansas City. Aikens, from a poor family in South Carolina, had played first base for the Kansas City Royals in the early 1980's, and had starred in the 1980 World Series. But his addition to drugs and a cocaine conviction in 1983 had

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led to his being blackballed from major league baseball. After spending a number of years playing ball in Mexico, he had returned to live in Kansas City. He had struggled unsuccessfully over the years to overcome his long-standing addiction to cocaine, and his involvement with drugs was well known to local authorities.

According to the official account, the Kansas City police had received reports of drug transactions taking place at the Aikens residence, and dispatched a female undercover officer to develop the evidence. Aikens was a well-known figure in Kansas City because of his prior baseball prowess, and it seems likely that his would have been a potentially important arrest. In December of 1993, the undercover officer approached Aikens near his residence under the pretense of asking for directions. She established a relationship with him over the next few weeks, and then asked him to obtain crack cocaine for her use. This he did on several occasions between January and March of 1994, at least once cooking powder into crack cocaine at her request. The official report also establishes that Willie was at the time in the grip of his drug addiction, an addiction that had ruined his major league baseball career and, at the time of his arrest, was fast ruining his life.

The Kansas City police turned their evidence over to the United States Attorney, who charged Aikens with multiple counts of trafficking in crack cocaine. His several drug buys for the undercover officer had yielded enough crack to make him subject to a mandatory minimum sentence. He declined a plea bargain that would have resulted in a five year prison term, and elected to take his chances with the jury which, in retrospect, was ill-advised for he was found guilty. The judge who sentenced him evidenced no sympathy for Willie's addiction, or for any of the other mitigating factors in his case, and sentenced him to the maximum allowable under the law: a total of 248 months in prison, which included a 60-month enhancement because a shotgun was observed at his residence during the drug transactions.

Willie has now served eleven years in prison. In the ordinary course he will have to serve another seven before he becomes eligible for release, since there is no parole in the federal system, and no other means of obtaining a reduction of his sentence or early release. He has exhausted all judicial appeals and, absent a compassionate intervention by (he President in his case to shorten his prison term, his freedom lies far in the future.

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Had the drug charges against him involved a similar amount of powder cocaine, his sentence would, at most, have been 27 months in prison. He would, by this time, have long since been released to the community. Had he accepted the federal plea offer, or had he been prosecuted by state authorities, his prison term would have been long since served. A series of bad choices, influenced by poor legal counsel and his own drug-addled judgment, resulted in the draconian prison term that he is now serving. At any number of points, a different choice might have had a profoundly different result for him.

The most crucial point is this: during his ten years in prison, Aikens has changed his life in every sense. Aside from one incident for fighting in the early months of his confinement, his prison record is clear of any misconduct. His work reports are excellent, and he has established an exceptional relationship with prison staff. He has become a man of deep and sincere faith, and he availed himself of all available prison programming, including the 500 hour intensive drug treatment program. He has come to understand his own responsibility for the wreckage he made of his life, and is determined to try to make amends for his conduct, to himself as well as to others. He has maintained a close relationship with his two daughters who live in Mexico and who visit him often at the federal penitentiary in Atlanta where he has been housed for most of his time in prison. Through letters he has established and maintained relationships with many people outside of prison. He has come to terms with the waste and sorrow of his addiction to drugs, and is resigned to pay whatever price the government exacts from him. But, he remains hopeful that this price will, in the end, not be so steep as to rob him of any possibility of re-establishing a productive life when he leaves prison.

I understand that the issue of the high penalties imposed for crack offenses remains a controversial one, and numerous studies (including one by the United States Sentencing Commission) have established their racially disparate impact. Crack is an inner city drug, and the crack epidemic that produced the draconian sentences at issue here was, for the most part, confined to inner city residents like Willie Aikens. I also understand that this administration has concluded that the higher penalties for crack are generally appropriate. But surely this does not mean that they may not result in an injustice in a particular case. I have come to learn that the President's clemency power was intended precisely to grant relief in these particular cases of injustice, when the penalty imposed by law turns out to be simply too severe. I feel that if the President grants Willie clemency he would not be signaling any backing away from the policy his administration has embraced. He would simply be recognizing the unexceptionable fact

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that any law, no matter how fairly devised and evenhandedly applied, will occasionally result in an injustice. That circumstance is precisely what the Framers of the Constitution were providing for when they gave the President the power to intervene with compassion in particular cases.

I believe that Willie's case is an extraordinary one, warranting extraordinary presidential intervention to give Willie Aikens the priceless gift of a second chance. The crime was victimless - except for himself. Surely, eleven years is enough for this man to spend in prison, this man who overcame poverty in childhood, rose to fame as a professional athlete, who came so close to raining his life with drugs, and who has now set his feet firmly on the path to recovery. Not only is his penalty greater than if (his particular drug had not been involved, it is also much greater than if he had agreed not to contest the government's charges against him.

Willie Aikens went into prison when he was 40 years old, and he is now 50. He has been drug-free for a decade, and has worked to develop the behaviors and attitudes that will help him live a drug-free and productive life when he leaves prison. If he is required to serve the full twenty-year term imposed, he will be close to 60 years of age when he at last obtains his freedom, a hard time to start a new life in the free community, Willie should not be required to pay such a high price for the crime involved here, involving no-violence against others and no damage to anyone but Aikens himself. It is time for Willie Aikens to leave prison. He has paid a heavy price for his self-destructive behavior and, given his complete reformation, humanity argues that he deserves a chance to pick up the pieces of what remains of his life with his family and be given a chance to influence others for the better. If released, his call will be dedicated to preaching to inner city youth that drugs are an evil, not an answer, of this I am sure.

I sincerely hope that you and the President will consider this a case in which a man has served long enough and that his history and circumstances warrant clemency and his return to society.

Sincerely,

Cal Ripken, Jr.

cc: President George H.W. Bush
Andrew Card, Chief of Staff to the President

