Establishing Mr. Sankofa's innocence does not mean that Mr. Sankofa should not pay the ultimate price. For the foregoing reasons, respectfully, we respectfully request you to grant an immediate stay of Mr. Sankofa's execution, and work with the Texas parole board to approve his petition for clemency. Thank you for your consideration of this request. Please free to contact Jeffrey Davis, Legislative Counsel, in Congressman Towns' office should you need any additional information.

Whether Mr. Sankofa received ineffective assistance of counsel is hardly a dispute. Mr. Sankofa's trial lawyer failed to use any of the key witnesses who were available at the trial to rebut the testimony of the prosecution's only witness—indeed, their only evidence—to tie him to the crime. A reasonably competent attorney would have called witnesses, like Ronald Hubbard, who would have directly rebutted the prosecution's evidence by testifying that Mr. Sankofa did not resemble the gunman. Had Mr. Hubbard's testimony been received into evidence, the jury or a later appeals court would have had a factual basis, at the very least, to determine that Mr. Sankofa should not be executed.

Furthermore, at trial, Mr. Sankofa's attorney did not even seek to impeach the testimony of the prosecution's lone witness, Bernadille Skilern. Mr. Sankofa's lawyer was negligent in not pointing out to the trial judge who affirmed under oath that Mr. Sankofa, in a photo array shown to a police report saying that Ms. Sankofa received grossly ineffective counsel at his two-day capital trial. Throughout the recent history of Texas capital cases, there is perhaps no situation like this, where a young man is sentenced to die based entirely upon the testimony of one witness—absolutely no corroborating evidence. We must not ignore that officers who were investigating the shooting never recovered any physical evidence or corroborating witness testimony linking Mr. Sankofa to the shooting.

Unfortunately, simply falling to call important witnesses who were available at the trial was not the end of Mr. Sankofa's lawyer's negligence. Because prior Texas court rules gave persons convicted of a crime only 30 days after their trial to present "new" evidence, Mr. Sankofa's subsequent counsel, retained in the mid-1990s, were not permitted to offer exonerating testimony to appellate courts. Specifically, these attorneys obtained statement from at least six witnesses to the incident who affirmed under oath that Mr. Sankofa did not commit the crime for which he may soon pay the ultimate price. Therefore, Mr. Governor, we request you to weigh all the evidence that is available to you, which could not be considered by the courts, and ensure that justice is done by preventing his execution and granting him a conditional pardon and the right to a new trial.

Mr. Governor, what we have here is a very compelling case for granting Mr. Sankofa clemency. Unfortunately, we are concerned that the merits of his petition may get overlooked in the current atmosphere of your candidacy for the Office of the President of the United States. The life of an innocent man may be at stake, and politics must not be allowed to cause a miscarriage of justice that can never be undone. For the foregoing reasons, we respectfully request you to grant an immediate stay of Mr. Sankofa's execution, and work with the Texas parole board to approve his petition for clemency.

Thank you for your consideration of this request. Please feel free to contact Jeffrey Davis, Legislative Counsel, in Congressman Towns' office should you need any additional information.

HONORING JUDGE JOE FISHER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 20, 2000

Mr. LAMPSON. Mr. Speaker, I rise today in great sadness to honor Judge Joe Fisher, who passed away yesterday, June 19th. Judge Fisher was a remarkable man who was committed to his community, his country, and above all, his family.

Judge Fisher received his law degree from the University of Texas in 1936 and was appointed by Dwight D. Eisenhower as a U.S. District Judge in 1959. Following his appointment, he served as many of his rulings set legal precedents. In 1972, he ruled for the first time that manufacturers of asbestos that didn’t warn workers of the potential dangers could be held liable and awarded a family $79,000 in damages. The case went all the way to the Supreme Court and is still the basis for law today. The first desegregation plan for Beaumont was drafted by Judge Fisher in 1970 after the U.S. Justice Department ordered the integration of the South Park school district in Beaumont. The case went all the way to the Supreme Court and is still the basis for law today. The first desegregation plan for Beaumont was drafted by Judge Fisher in 1970 after the U.S. Justice Department ordered the integration of the South Park school district in Beaumont.

Always a man who believed in equality and justice, in 1994 Judge Fisher struck down the Klu Klux Klan’s attempt to adopt a highway as part of a state highway cleanup program. He was a man of great courage who wrote in his decision that members only applied “as subterfuge to intimidate those minority residents” and discouraged further desegregation.”

After he retired from active duty in 1984, he continued to work full time as a senior judge and continued to hear a substantially full case-load up until two weeks before his death. His impact on the community could be felt outside the courtroom as well, such as being a key contributor to the Salvation Army and the YMCA. He was of the utmost character, and his attributes of selflessness and commitment to others are rare gifts that this nation was lucky to have. Judge Fisher was a man who served his country as a Federal Judge with great pride and devotion. He would do anything, inside and outside the box to make sure that his decisions were fair and honorable.

His work was part of the fiber of Southeast Texas, and with his passing a great loss will be felt in the spirit and the heart of our community. Today, as an American we lost a great jurist, but as a Congressman I have lost a mentor and a friend.