



# Gulf Region Advocacy Center

Happy Holidays from GRACE!

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## Renewal, Reconciliation and Redemption

It has been a year of second chances and starting over here at GRACE. After a devastating 2010, in which we came very close to closing our doors, GRACE spent 2011 rebuilding. It was also a year of new beginnings for our clients.

2010 was a struggle for survival. When I was diagnosed with cancer, GRACE Board members and friends from the capital defense community jumped into action to insure that GRACE clients would be well represented in my absence. Mandy Welch, Clive Stafford Smith, Dick Burr and others donated enormous amounts of time to keep GRACE going. But, between the cancer treatments and three unrelated surgeries, I was absent or operating at reduced capacity for over a year and the resulting loss of income very nearly shut us down. In October 2010, when we couldn't meet our payroll for the first time in years, we had some very serious conversations about closing the doors. But, then all of you voted with your wallets!!! An outpouring of love, support and cold hard cash convinced us that GRACE could – and should – be rebuilt. So, we ended 2010 with a renewed commitment to begin anew and that is just what we've done in 2011!

After losing six valued colleagues, we've begun to rebuild the staff (see page 3). A profile in The New Yorker magazine (see page 4) and recognition by Philanthropedia as the 9<sup>th</sup> most impactful local criminal justice charity in the country (see page 3) have helped spread the word that GRACE is still here and still saving lives. And with support from Atlantic Philanthropies -- including a **matching grant that will double all your holiday donations!!** – we are restructuring and expanding the organization to come back stronger than ever!!

Throughout all these challenges, GRACE staff have continued to serve our clients well. In 2011, life-saving plea bargains were entered by clients in five federal cases and one state case in which GRACE mitigation specialists had investigated the client's life history, worked with mental health experts and presented mitigating evidence to the government. A seventh client entered a life plea after winning reversal of his death sentence due to GRACE's mitigation work in post-conviction.

This year, GRACE staff provided faculty to more than twenty capital defense seminars around the country, including three presentations of our mitigation skills boot camp, five intensive Bring-Your-Own-Case trainings, two capital voir dire workshops and numerous conferences.

As we were renewing our commitment to justice, a remarkable new *pro bono* client came into our lives to teach us lessons of resilience, redemption and renewal. Rais Bhuiyan's true GRACE inspires everyone he meets to seek and grant forgiveness for even the most grievous of wrongs, and to regain their lives by letting go and moving beyond challenges that seem insurmountable. Rais taught us, quite simply, how to put one foot in front of the other again. (page 2)

Several long-time clients also finally got the chance to renew their lives in 2011. Resentencing Project clients Fernando Garcia and Roy Gene Smith will both greet the new year without the specter of the death penalty hanging over them for the first time in over two decades. (page 2).

And, Ernest Moore, whom GRACE represented (with lead counsel Shawna Reagin) in his first (non-death) capital trial and in a successful appeal, (resulting in a reversal of his conviction due to a *Batson* violation), has now finally resolved his case with a plea that will make him parole eligible while still a young man.

GRACE represented all three of these men on a *pro bono* basis through our Retrial/Resentencing Project – a program funded entirely by private donations. **We need your help** to recover from those efforts and rebuild our capacity to represent new clients. See page 4 for how you can help!

--Danalynn Recer, Director



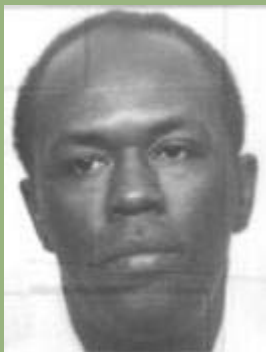
Rais Bhuiyan



Mark Stroman



Fernando Garcia



Roy Smith

## A Man of GRACE

In the days after 9/11, so-called “Arab Slayer” Mark Stroman sought vengeance for a loved one lost in the towers by gunning down three men – all south Asian Muslims working in Dallas convenience stores, but ironically none of them Arab. Only Bangladeshi native **Rais Bhuiyan**, shot in the face by Stroman, survived, but life as he knew it was over.

Blinded in one eye despite numerous surgeries and facing the emotional consequences of life-threatening trauma, Rais lost his job, his fiancé and his apartment. Homeless, penniless and alone, but with the conviction that God had allowed him to live for a reason, he searched for answers. His Muslim faith required him to forgive, but he didn’t know how and was haunted by the shooting.

Like many victims, Rais developed a compelling need to face the man whose crime had changed his life forever. When he saw the peace that other victims had found through victim-offender mediation, he became convinced that meeting Stroman was his best chance to put the shooting behind him and move forward. But, his requests to meet Stroman were repeatedly denied by prison officials. As Stroman’s July execution approached, Rais contacted Khurram Wahid, a lawyer known for defending Muslim Americans in matters related to post-911 hate crimes and racial profiling. GRACE Director Danalynn Recer joined him as co-counsel and the team filed a law suit seeking the opportunity for Rais to engage in victim-offender mediation with Stroman.

Shockingly, Texas officials had no interest in helping or even hearing this crime victim or the other victims of Stroman’s crimes. First, Governor Perry removed the case from state to federal court, claiming it raised issues of federal law. Once in federal court, Perry then filed to dismiss the suit, arguing – you guessed it – that it was a matter of state law. Though Rais sought only to meet Stroman – and not to prevent him from ultimately being executed – the State of Texas went to extraordinary lengths to deny him even a public hearing. Stroman was executed. But, Rais’ fight continues. GRACE and Wahid-Vizcaino continue to represent him on a *pro bono* basis in this expensive civil suit, supported only by private donations.

And Rais continues to speak out through his organization [World Without Hate](#), to educate the public about hate crimes and offer support to victims of hate crimes. For this work, Rais was named one of Esquire magazine’s 2011 “[Americans of the Year](#)”. For more about Rais Bhuiyan’s courageous journey, see the New York Times, “[The Hated and the Hater, Both Touched by Crime](#),” and D Magazine, “[Could You Forgive the Man Who Shot You in the Face?](#)” Read the [original Complaint](#) and [Memorandum in Support of Injunctive Relief](#) at Wahid-Vizcaino’s website.

## Receiving GRACE After Decades on Death Row

Between 1976 and 1991, nearly 500 Texans were sentenced to die by juries that had been unconstitutionally prohibited from considering their life histories as a reason to choose life. Only about 50 of those prisoners survived to see the day, in 2004, when the Supreme Court finally ruled that Texas courts had been misinterpreting the Constitution for decades. More than two dozen of those inmates have since been granted new sentencing trials and another 16 await similar rulings.

Rather than the new, fair, trial they spent decades hoping for, upon their return to the counties where they received their original, unconstitutional, death sentences, these clients are too often facing hostile courts, vengeful prosecutors and a general attitude that their new sentencing trial is nothing more than a formality inevitably destined to end in a new death sentence.

GRACE’s Retrial and Resentencing Project has now successfully resolved fourteen of these cases, negotiating agreements that saved the client’s life, gave finality to the victims’ survivors and spared both families the retraumatization of a second trial. In some cases, GRACE mitigators were court appointed, but in every case our attorneys provided legal services for free -- funded entirely by private donations and grants. We can’t do this important, life-saving work without your help. **Please donate to our Retrial/Resentencing Project and Atlantic Philanthropies will match your donation!!**

## Fall From GRACE Award

Our 2011 Fall From GRACE Award goes to the Texas Attorney General for gutting victim’s rights just to hasten the death of a man whose own victim was seeking to stay his execution. In legal documents filed in state and federal court, AG Greg Abbott proclaimed that the Texas Victims Rights Act was “[largely symbolic](#),” and provided no enforceable rights. This comes as a great surprise to the many victims’ rights groups frequently courted by Perry and Abbott.



2011 Interns



Alex Ritter-Wiseman, Mitigation Specialist



Kirsty Davis, Mitigation Specialist



Tonia Sanders, Mitigation Specialist



Matt Silverman, Mitigation Specialist

## Changes at GRACE

In the dark days of 2010, GRACE lost a third of our staff, including **Gilly Ross, Shantel Rodriguez, Alana Woldan, Beth Akers** and **Alex Steffler**. Also, **Natasha Merle**, staff counsel for our Retrial/Resentencing Project, completed her two year Equal Justice Works fellowship in September and joined the Phoenix federal defender.

We miss them all, but we've begun to rebuild already (see below), and, thanks to **Atlantic Philanthropies**, we expect 2012 to be even better as we will begin taking applications for four new positions in January: a senior capital trial counsel, a Deputy Director, and staff members devoted exclusively to Communications/Outreach and Development!!!! Funding for these positions will come, in part, through a matching-funds grant through which Atlantic will match donations by all of you, our Steadfast Friends!! So, this year your gifts will count double!

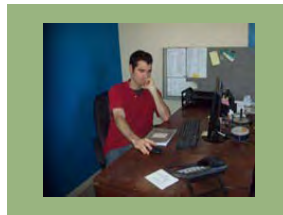
### *Welcome our New Staff!*

Though just starting out, **Alex Ritter-Wiseman** has been dubbed "capital defense royalty" by colleagues. The son of Mumia Abu Jamal's attorney Judy Ritter and long-time capital habeas expert Michael Wiseman, Alex was raised to champion justice and dispense compassion. After interning at one of the most successful capital trial offices in the country, in Philadelphia, "Ritter" has come to GRACE as a mitigation specialist.

Also joining our mitigation staff is **Tonia Sanders**. Tonia spent a career working as a paralegal with both defenders and prosecutors in Harris County, but always wished she could spend more time with the clients. Now she can!



Trang Trahn



Andrew Colford, JV

Our new bookkeeper, **Trang Trahn**, comes to us from Seattle with years of experience in large, successful nonprofit settings.

**Andrew Colford** graduated from Georgetown University with a degree in International Political Economy and is spending a year as a volunteer through the Jesuit Volunteer Corps.

## *GRACE Ranked 9<sup>th</sup> Most Impactful Local Criminal Justice Charity In The Country by Philanthropedia's Experts!!*

In October, we were honored to learn that a group of 127 experts identified GRACE as 1 of 21 high-impact nonprofits working in criminal justice in the U.S. on a local/state level. Ranking GRACE the 9<sup>th</sup> most impactful local criminal justice charity in the country, the experts wrote that:

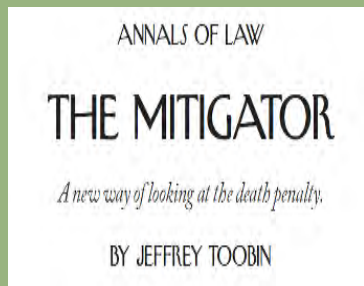
"GRACE has dramatically reduced death sentences in Houston, Texas (Harris County), the former capitol of capital punishment."

"GRACE has made a huge impact in the quality of representation in capital trials in TX. Their work is the best in the field, and they have gradually raised the standard of care in all of TX, which has long been resistant to providing the support needed for good work in capital trials."

To read more: <http://myphilanthropedia.org/top-nonprofits/local/criminal-justice/gulf-region-advocacy-center-grace-texas>.







*"Starting with virtually no resources and no support, this scrappy little group of volunteers and underpaid defenders have changed 'the capital of capital punishment' in ways no one believed possible. I encourage you to support the life-saving work of GRACE"*

**Sister Helen Prejean**, Activist and Author of "Dead Man Walking"

## *A New Yorker Frame of Mind*

New Yorker Magazine columnist and CNN legal commentator **Jeffery Toobin** spent a couple days at GRACE in January, touring the office, meeting all the staff and learning the basics of mitigation investigation from our star mitigation specialist, **Matt Silverman**. After months of research and interviews with capital defenders around the country, Toobin's lengthy and detailed profile of GRACE appeared in the May 9, 2011 **New Yorker Magazine**.

You can read the entire article on [our website](#).

In October, GRACE Director Danalynn Recer appeared on a panel entitled "Capital Punishment: Is the Death Penalty Dying?" moderated by Jeffery Toobin at the **New Yorker Festival**, along with Barry Scheck, prosecutor Joshua Marquis and victims' advocate Marc Klaas. Watch a clip from the panel [here](#).

## *How We Can Do This Together*

Against all odds and with the help of generous individuals and organizations from around the world, GRACE has saved dozens of lives and helped ensure that no capital defendant will ever again face a jury with his lawyer asleep beside him.

In 2009, we launched an Individual Donor Drive to pool the resources of hundreds of small donors committed to sustaining GRACE through automatic monthly donations. If you have not yet become a **Steadfast Friend** of GRACE by setting up an automatic monthly donation (of any amount), please do so now at [www.gracelaw.org](http://www.gracelaw.org), and your 2012 GRACE calendar will be on its way.

If you are already a Steadfast Friend, please take just a few minutes to do the following:

1. Post a link to [our website](#) ([www.gracelaw.org](http://www.gracelaw.org)) or [Facebook Cause](#), "GRACE Saves Lives" on your own website, blog, and/or social networking pages.
2. Email your friends and colleagues with [our links](#) and encourage them to consider GRACE as they make their final tax-deductible donations for the year.
3. Make [Goodsearch](#) your browser (<http://www.goodsearch.com>) and select "Gulf Region Advocacy Center" as your charity of choice.
4. Check [GoodShop](#) ([www.GoodShop.com](http://www.GoodShop.com)) and iGive ([www.igive.com](http://www.igive.com)) first for all your holiday shopping and select "Gulf Region Advocacy Center" as your charity of choice. It costs you nothing but adds up for GRACE.

Finally, consider becoming an ambassador for GRACE, to help us to meet our goals in recruiting automatic monthly donors. Email us at [staff@gracelaw.org](mailto:staff@gracelaw.org) for details.

## *Built by Visionaries*



In 2005, after a nearly year-long fundraising campaign, GRACE purchased our permanent home. Then followed months of volunteer labor to make the space habitable so we could move in. Phase III has been a long process of continued renovation and repair as we could afford it. The next steps -- to finish two unusable rooms, insulate all the space and, ultimately to build out the space between our little houses, are stalled until our building fund is replenished. **We need 152 Visionaries to give one-time gifts of \$1,000 or more to our Building Fund.** Visionaries will have their name engraved on a brick in our walkway, with a duplicate souvenir brick to keep, reading: "I paved the way for justice", with the donor's name, GRACE's name and the date.