



*The University of Oklahoma*  
DEPARTMENT OF SOCIOLOGY

October 23, 2019

Dear Governor Stitt and Oklahoma Pardon and Parole Board Members,

As an Oklahoma researcher who has examined both the death penalty and the impact of our penal policies on family members of the accused, I want to share my concerns about the 1999 death sentence and impending execution of Julius Darius Jones and state my strong support of his clemency application.

I am one of the co-authors of the research incorporated in the Oklahoma Death Penalty Review, "Race and Death Sentencing for Oklahoma Homicides Committed between 1990 and 2012," *Journal of Criminology and Criminal Law*, 107, 101-124 (Pierce, Radelet and Sharp, 2017). One of the important findings of our study was that the probability of a death sentence was more than two times as high for those suspected of killing whites compared to nonwhites. We also found no real difference in death sentences for nonwhites killing nonwhites or whites killing nonwhites (under 2% of each) but almost 6% of nonwhites killing whites received death sentences. In this case, Julius Jones is a black male, and the victim, Paul Howell, was white.

Our state has the dubious distinction of having the highest per capita execution rate in the country and being third overall in the total number of executions since reinstatement of capital punishment in 1976. One analysis found that Oklahoma County has the highest number of prisoners executed or facing execution per capita of any county in the country. We also have a high number (10) of death penalty exonerations in this state, and a high number of overall exonerations (39). I find the high exoneration rate disturbing, as it suggests we do not always "get it right."

I personally have strong misgivings about Jones's conviction for the 1999 killing. He was prosecuted under the administration of a district attorney whose practices were described by the U.S. 10<sup>th</sup> Circuit Court of Appeals as "persistent misconduct ... (that) has without doubt harmed the reputation of Oklahoma's criminal justice system." Additionally, prosecutorial misconduct was substantiated in almost one-third of the death penalty cases tried under that administration.

Additionally, he was convicted primarily on the basis of his co-defendant's testimony. Said co-defendant was released after only 15 years in exchange for testifying against Jones. It is noteworthy that the description of the shooter fit the co-defendant rather than Jones, leading to serious questions about the conviction of Julius Jones. Also, the aggravators used to substantiate the death sentence in this case are both highly subjective: The defendant knowingly created a great risk of death to more than one person and the existence of a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society. When you

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have subjective aggravators, the prosecution can apply them as they want, creating discrimination. Jurors, especially white jurors, often have a mental stereotype of young black men as dangerous.

Julius Jones has been on death row for over 20 years, despite obvious concerns with his case. Research has clearly indicated that death sentences are far more likely to be given when the defendant is black and the victim is white. Considering what research indicates about our criminal justice system, the areas of concern in his case, and the track record of mistakes in Oklahoma Country death penalty cases under Macy, I ask that Julius Jones' clemency application be given very strong consideration.

I strongly urge you to consider the many troubling concerns in this case when reviewing Julius Jones' clemency application. Our state deserves better than the reputation of executing an individual who did not receive a fair and just trial.

If you have any further questions, please feel free to contact me. I can be reached by telephone at (405) 361-1245 or by e-mail: [ssharp@ou.edu](mailto:ssharp@ou.edu).

Very Respectfully,

Susan F. Sharp, Ph.D.

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