

July 27, 2010

Dear Congressman Lee:

I was recently made aware of your efforts to introduce a resolution on behalf of William G. Clark – a Special Agent of the Bureau of Alcohol, Tobacco, Firearms & Explosives who is currently scheduled for trial on charges of Murder II on St. Thomas, United States Virgin Islands. I must admit I find your actions disappointing and disparaging.

As of this writing, I have no idea what promotes your sudden interest in the affairs of the United States Virgin Islands. I see nothing in your relatively brief voting record as Congressman from New York during the past two years that evidence any prior involvement with the United States Virgin Islands until this incident.

I must therefore conclude that your newly found interest in my district is an effort to be responsive to lobbying by the National Fraternal Order of Police (FOP) and others. Your proposed resolution has an almost uncanny resemblance to FOP's suggested text that was posted on their website for easy downloading by its members. The factual differences that appear in your version seem to make the case brought by the People of the United States Virgin Islands even more base.

With no apparent basis for your conclusions discernable from your proposed resolution, I find your motives for this involvement to be questionable. Whether your effort in this matter is to curry favor with a relatively prominent lobbying group, get in front of what is obviously an issue that will be brought before every member of Congress in the coming weeks, or simply to gain national media attention at the expense of my community I am not certain. What I am certain of, however, is that out of the blue you decided to use your position to interfere in a lawful prosecution of a federal agent of another agency – an agency that is imbued with certain rights and responsibilities that merit your respect. As a duly elected member of Congress you must be fully aware of the limits to every federal agency's authority in the United States Virgin Islands and you must be seen as one that respects that – even if you don't like it.

The suggestion made in your proposed resolution that Special Agent Clark will not receive a fair trial in the Superior Court of the Virgin Islands is an affront to every person who lives in this territory. As a Native Virgin Islander, a proud graduate of Howard University School of Law and an active member of the Virgin Islands Bar Association, I take personal offense to your suggestion that our legal process is less than fair and our Judges less than professional. The fact that a Superior Court Judge found probable cause

to charge Agent Clark for his actions is demonstrative of the importance to which we hold the rule of law.

I am sorry that you, and some of your ambitious colleagues, will find it beneficial to fall victim to this effort to undermine the sanctity of our judicial system and deny the people of St. Thomas a fair trial. For those of us who are professional legal practitioners, only evidence that is found relevant and admissible can be used to form judicial opinion; unfortunately, some of the un sworn testimony that you offer in defense of Special Agent Clark's actions has yet to be cross examined by a prosecutor, examined by a judge or scrutinized by a jury. Personally, I prefer to try my cases in a court of law than in a court of public opinion. I would encourage Special Agent Clark's attorneys to do so as well in the future.

Special Agent Clark's trial is scheduled for October 11, at a time when I will be extremely busy. I am willing, however, to take time out of my schedule if you agree to travel to St. Thomas to observe Special Agent Clark's trial with me. Perhaps then you will understand that the United States Virgin Islands has a firmly established court system that is recognized and respected by the Third Circuit Court of Appeals, one that all of us here in the United States Virgin Islands are proud of.

If your sudden interest in this matter is a serious expression of your interest in the affairs of my district, I suggest we meet after I arrive in Washington, to talk about the serious issues that my community currently faces that require Congressional approval. Specifically, the failure of the government to rebate billions of dollars of federal excise taxes on petroleum products produced on St. Croix that the territory is legitimately entitled to; proper funding for the Fifth Constitutional Convention so that we can educate everyone about the importance of a constitution and move forward with this document, the power of Virgin Islands residents to vote in national elections and equal participation in national health care for Virgin Island residents to name a few. I am certain I speak for everyone in the United States Virgin Islands when I say we would welcome your interest, assistance and vote in matters of importance to our collective future.

I look forward to meeting you soon.

Cordially,

Jeffrey B. C. Moorhead, Esq.
jeffreylaw@yahoo.com