

EVAN KEMP ASSOCIATES, INC.

*Washington Square Building
1050 Connecticut Avenue, N.W.
Suite 1250
Washington, D.C. 20036
Phone (202) 296-1488*

*Evan J. Kemp, Jr.
Robert J. Funk
Ann Colgrise*

September 15, 1993

The Honorable Edward F. Reilly
Chairman
United States Parole Commission
5550 Friendship Boulevard
Bethesda, Maryland 20815

Dear Chairman Reilly:

I am writing this letter concerning the upcoming parole hearing of Zvonko Busic. The information I have is quite pertinent to your consideration of this case.

Let me tell you a bit about myself. I am a leader of the disability rights movement and was the former Chairman of the U.S. Equal Employment Opportunity Commission (EEOC). President Bush appointed me Chairman in 1990. Prior to that time, I served as a Commissioner of the EEOC. President Reagan appointed me to that post in 1987.

During the Bush Administration, while Chairman of EEOC, I looked into the case of Zvonko Busic. I was told then that the Parole Commission would not release him because the State Department was following the wishes of the Yugoslavian government. At the time, I felt it was grossly unfair that a foreign country could have any influence on the sentence of an individual in an American prison.

Chairman Reilly, I realize the seriousness of Mr. Busic's crime and am not suggesting that the Commission made its decision solely on the basis of the State Department's influence. However, highly placed State Department and White House sources informed me that pressure from the Yugoslav government was a highly weighted factor.

While you must consider the seriousness of a crime, there are mitigating factors in favor of Mr. Busic's release. The crime, his first offense, was committed in 1976 so he has already served seventeen years. His co-defendants were released years ago. His trial judge, John R. Bartels of the Eastern District of New York, wished him to be considered for parole after service of ten years and has repeatedly requested a reconsideration of the

Parole Board decision. (See enclosed copies of letters). One of the enclosed letters is a partial trial transcript from Judge Gerard Goettel after a hearing with Mr. Busic on another matter. The remarks made by Judge Goettel were after conversations with Judge Bartels.

You may wonder why I became involved with Mr. Busic's case. I am engaged to a woman active in the prison reform movement. Prior to knowing her, I gave little thought to criminal justice issues. However, she has done an excellent job of educating me and what she says makes sense. She generally works on issues pertaining to children and their imprisoned parents -- particularly mothers. However, on ~~RARE~~ occasions she tells me of a miscarriage of justice that is outside her area of interest.

I believe Mr. Busic's case to be a miscarriage of justice, and urge you to give him favorable consideration for release. I understand that he is a Croatian citizen. If for no other reason, release him and have the Immigration Department deport him. Then at least American taxpayers would not have to pay for his incarceration.

I am enclosing a copy of the aforementioned letter written by Judge Bartels and transcript of the above-noted hearing before Judge Goettel concerning Mr. Busic.

Thank you for your consideration of this request. I look forward to hearing from you.

Sincerely,

Evan J. Kemp, Jr.

Evan J. Kemp, Jr.

Enclosures