

August 24, 2017

Mr. Dan Ruben
Executive Director
Equal Justice America
13540 East Boundary Road
Building II, Suite 204
Midlothian, VA 23112

Dear Mr. Ruben,

Thank you so much for generously funding my summer internship and providing me the opportunity to work with dedicated and talented attorneys at CAP to support representation of indigent defendants who had been sentenced to death by the State of Louisiana.

One of my first tasks was to edit a petition for certiorari to the US Supreme Court that was due in just a couple days. I quickly learned how to file *in forma pauperis* (IFP), or on behalf of an indigent person, and understood that if our 90 day deadline was missed, our petition would be barred. I also got a chance to learn about the strategy that goes behind determining which issues should go up on appeal to the US Supreme Court in death penalty defense, and when certain issues would not be good to appeal.

Throughout the summer, I visited clients at the Louisiana State Penitentiary, also known as Angola Prison. Angola is the largest maximum security prison in the country and has about 6,000 prisoners. I spent time speaking with clients, hearing about their daily struggles, their hopes, and mainly what a regular day is like. I was impressed at how knowledgeable many of the imprisoned clients I visited were about law. While driving across the vast prison to visit Death Row, I could not help but be reminded of slavery, as I passed large groups of African Americans working in the fields, white men on horses with shotguns, and the hot sun beating down in Louisiana's 100 degree weather.

The summer provided me the opportunity to do a significant amount of legal research and writing on various issues we were hoping to appeal. I wrote a memo on whether defense counsel could be deemed ineffective for not having had the defendant plead "not guilty by reason of insanity" at trial. I wrote another memo on how race has been used to talk about the fourteenth amendment's due process clause in the past three to four years. Furthermore, I had the opportunity to work on the appeal of a young man who had been sentenced to life in prison without the possibility of parole as a juvenile. I had the chance to write a brief about how the court erred following the defense's Batson objection. In doing research on Batson, I learned about the important, yet controversial role, that peremptory challenges have within our justice system.

Each week, CAP hosted Brown Bag lunches, where attorneys from several non-profits throughout New Orleans would come to speak about the important work they are doing. It was a wonderful chance to hear from organizations like the Innocence Project, the Capital Post Conviction Project of Louisiana, the Juvenile Public Defender's Office, etc.

Thank you again for your generosity and support. I had an unforgettable summer.

Sincerely,

A handwritten signature in black ink that reads "Marissa Balonon-Rosen". The script is fluid and cursive, with the first name "Marissa" being more prominent and the last name "Balonon-Rosen" following in a similar style.

Marissa Balonon-Rosen
University of Texas School of Law, Class of 2019

the PROMISE
of JUSTICE
INITIATIVE

Dan Ruben
Executive Director
Equal Justice America
Building II – Suite 204
13540 East Boundary Road
Midlothian, VA 231
By email to katie@equaljusticeamerica.org

August 10, 2017

Re: Marissa Balonon-Rosen

Dear Dan,

The Capital Appeals Project / Promise of Justice Initiative wanted to express our appreciation to Equal Justice America for supporting Marissa Balonon-Rosen's work at our office this summer. The Promise of Justice Initiative is a private, non-profit organization that advocates for humane, fair, and equal treatment of individuals in the criminal justice system. Our organization is composed of dedicated board members, staff and volunteers who are committed to our Constitution's promises of justice and dismayed by society's shortcomings in making good on them. Without law student interns, fellows and volunteers we would be unable to provide the representation and assistance that compassion, our commitment to dignity, and the Constitution requires.

Marissa was engaged in a series of legal research and advocacy projects this summer. She prepared a cert petition for a condemned prisoner to the United States Supreme Court, which will be conferenced later this fall. She researched and drafted a memo on the role that race plays in legal opinions. This has formed the genesis of our efforts to engage the broader community in litigating claims of race discrimination in the criminal justice system.

Marissa also compiled a previously unknown list of individuals sentenced to death in Louisiana between 1961 and 1976 – whose death sentences were set aside based upon *Furman v. Georgia* and *Roberts v. Louisiana*. These eighty-six individuals, previously condemned to death, have gone on to demonstrate how capital punishment is unnecessary. During the summer, Marissa also met #21 on that list, Wilbert Rideau. See Wilbert Rideau, *In the Place of Justice: A Story of Punishment and Deliverance* (2010). On the same day, Marissa had the opportunity to meet Rodricus Crawford, who is the 158th death row exoneree. Both of these men spoke about their journeys and demonstrated their resilience in sharing their stories with our law school interns. I hope these were meaningful experiences for Marissa.

During her summer work, Marissa also drafted a series of legal memos on issues such as whether the failure to investigate mental health history for a defendant facing capital punishment constitutes ineffective assistance of counsel, whether statistics of race discrimination constitute a prima facie case under Batson, and whether an appeal for a juvenile sentenced to life imprisonment without parole based upon a complete record can proceed. Marissa was also involved in trainings on voir dire, legal narrative, and jurisprudence developments.

Perhaps most meaningful, Marissa met with a series of clients and former clients – both currently on death row and those serving life imprisonment at Angola State Penitentiary – and was able to express our insistence on a shared humanity. It was a pleasure to have Marissa at the office, engaged with us in this work, and we express our deep appreciation to EJAmerica for making this possible.

Sincerely,

G. Ben Cohen, Of Counsel
Erica Navalance, Staff Attorney
Zain Tewalthomas, Administrative Director