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An Affiliate of the
National Bar Association

November 18, 2016

VIA E-MAIL

Joseph T. Deters, Esq.
Prosecuting Attorney
Hamilton County Prosecutor's Office
230 E. 9th Street, Suite 4000
Cincinnati, Ohio 45202

Re: Retrial of Ray Tensing

Dear Mr. Deters:

I am writing on behalf of the Black Lawyers Association of Cincinnati (BLAC), an affiliate member of the National Bar Association, which is the largest African-American Bar Association in the U.S. with a network of over 60,000 lawyers, judges and law students.

First, we wanted to say thank you for your public service in this case so far; we know this case has been difficult with respect to the amount of public scrutiny and highly charged emotions involved.

We also wanted to respectfully request that you continue working hard on behalf of the Community to ensure justice for all by retrying Ray Tensing for the shooting of Samuel Dubose.

BLAC members followed this trial very closely and our members attended the trial every day. Like you, we were also disappointed about the outcome of the case and the fact that the jury was not able to reach a decision.

It is our understanding, based on your communications with the press yesterday and in the days immediately following the trial, that the jury took a vote at the beginning of their deliberations and all 12 of them initially voted to convict Ray Tensing of murder. It is our further understanding that after 3 days of deliberations, the jury's final vote was 4 in support of murder, 8 against; and 8 in support of manslaughter and 4 against.

You stated that your Office is considering retrying the case but will only do so if you think you can win and secure a conviction at the second trial. None of us have a crystal ball and can guarantee a

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conviction or acquittal, but we believe that the final results of the hung jury, along with this new information that all 12 of the jurors initially agreed on a murder conviction, is a strong indication that if you retry the case, a jury will be able to reach a conclusion and you will be successful in securing a conviction.

In situations like this, it is important for our Community to feel like the justice system works for everyone, not just the privileged and upper-class members of our society, or members of one particular race. BLAC has asked the Community to engage in the democratic process, renew its faith in the fact that this system can be fair and impartial, and most importantly, to give our justice system a chance to work. We believe that a retrial, no matter the outcome, is a crucial act that must be done to restore and maintain the Community's confidence in our justice system.

I trust that you understand the importance of handling this case in a manner that the public can respect, support, and understand. We also trust that you understand the needs of Samuel Dubose's family and the Greater Cincinnati Community to obtain closure, and walk away from this case knowing that the jury made a unanimous decision.

So again, we are asking that you retry Ray Tensing on the same charges of murder and manslaughter that were in the initial indictment and show the Community that your Office is committed to ensuring that the judicial system works equally and fairly for all people, regardless of their race, color, or creed.

Very truly yours,



Donyetta D. Bailey, Esq.
President

cc: Mark Piepmeier, Chief Assistant Prosecutor
Rick Gibson, Chief Assistant Prosecutor