

Chron

7/10/97

Phil -
don't this about library?
Send to Nancy H.?

Maureen Lewis
for student library
reply -- Bruce Lindsay
step

Yes _____
No _____
C

7/10/97

original to
Maureen Lewis

Copies to
Lindsay
skip

no copies
to these 2

July 1, 1997

Frank G. Kumpuris, M.D. F.A.C.S.

2317 North Palm

Little Rock, Arkansas 72207

Steph J. J. J.

President Bill Clinton
Office of the President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500-2000

Dear Bill:

Needless to say, I follow all of your published thoughts, statements and decisions daily and I am truly very proud of your Presidency.

I have known for years of your true political abilities, your vast stored knowledge and your God-given judgment and ability to recall and use that knowledge as needed for the good of mankind regardless of color, race, religion or finances. Although, your political judgment has surprised and fooled the Republicans, I am pleased and not surprised.

All of your actions will all be documented, the good and the not so good, and this calls for the library, which you so graciously chose to be located in Little Rock. At this time, I feel certain that you are being called upon to consider "this" location, "that" location, and I am taking the liberty of our friendship to think that my suggestion may be received in a different manner than most other suggestions.

You recall when you appointed me to the U of A Board, I had to agree that I would never try to move the administration from Fayetteville to Little Rock as long as you were Governor. I came to you and told you I thought I could get it done without any adverse publicity and after considerable thought you gave me permission to go ahead.

With the help of our friend, Jim Blair, it was accomplished so smoothly that I feel certain I was right in thinking that they wanted it in Little Rock so that they might consider getting out of the System. Blair and Epley and I have laughingly discussed this but no admission has come forth from them, nor a denial.

The Cammack Campus is most attractive thanks to the prisoners which were assigned to me for 1 1/2 years. With the help of Herschel Friday and Curt Bradbury on the last \$150,000, I was able to raise

\$900,000 to build the Presidents house. Now the administration building is being completed and then come the next steps.

What about the property around it? The houses are all vastly improved new homes are going up--values are up. The entire neighborhood has been up graded.

This brings me to the choice of a site for the "Clinton Library". I know that many sites have been suggested. However, I feel that there is only one outstanding site and I beg you to consider it.

Downtown Little Rock now has a true direction for the future. The Convention Center is being enlarged--several hotels are looking at sites east of the Convention Center. The arena is being built on the North Little Rock side which will accommodate 17-18,000 seats. The River Market is open and is successful on East Markham. The very large building owned by the Democrat-Gazette is remodeled and is being occupied by lawyers, restaurants, art studios (fine art), bookstores, etc. The museum in McArthur Park will be moved there in nine months. Markham Street has taken on a new look and landscape. The new Central Library is opening in a month and it is a credit to any large city in the USA. All of this is west of the interstate, downtown on Markham Street and Second Street.

As you know, Quapaw area is a registered historic preservation area which has an extensive zigzag boundary. This is our only registered district. However, as you also will recall, there are two districts to the south of 630 freeway.

One of these is the Capital district and it combined with a sister district goes to Roosevelt Road and East almost to the freeway.

I know Bill Bowen is pushing for McArthur Park so that the Law School and the Arts Center and Library can share 9-11 acres. I feel this would be a bad mistake.

I feel that there is only one outstanding area for the Library. The property is East of the freeway, extending East approximately 8 streets and going from the river to Sixth Street South. None of this area is in a historic district even though the Rock Island Station was restored as a restaurant.

This property is condemnable and although it would be somewhat costly, most of it is empty and decaying. This would fit all the criteria

for the Library. The landscaping by C. Allen Smith, a landscape architect, could make this a showplace with great visibility. Over 20-25 acres is readily available.

Bill Bowen has not dealt with preservationists to my knowledge. Should a decision be made to use McArthur Park, it will be very difficult to improve the neighborhood because of restrictions. I have complete confidence, that properly handled, the property I am proposing for the library can be zoned to guarantee the future development of the adjacent property that will place a new emphasis on the river and the residential area around the grounds.

Little Rock is moving West and we now have large satellites of office buildings. The downtown area will become the hotel, business (financial) area, with conventions, entertainment and a Main Street which will convert to specialty shops, groceries, etc. needed to serve a large new residential area. The Riverfront Development is very successful.

UALR is committed to University Avenue. The Law School is committed to McArthur Park along with the Art Center, and the Convention Center is growing and has the community's dedication to move forward. The Riverfront is highly successful, and the adjoining central library fits like a fine pair of gloves. Your library will be accessible to the finest hotels in Little Rock, it will encourage controlled development of land around the Presidential library without having to restore houses which should be torn down but fall under restoration jurisdiction. If I sound anti-preservationist, let me say that I have restored two buildings downtown of which I am proud. One is the Little Rock Boys Club at 8th and Scott Street which houses our cable television company; the other is The Healey and Roth Funeral Home at 815 Main Street which houses Peerless Engraving Company. I believe in preservation, but there can be one or two zealots on the five person committee which can make life interesting. Paper does not permit me to explain how we won the battle for the law school while the preservation board held us captive for three months during my tenure on the U of A board. Trust me, locating the library on the Arts Center and Law School campus is not the proper choice. Sharing 9-11 acres with them and trying to improve the surrounding neighborhood would be a monumental task without much hope of a beautiful result.

I want you and Hillary to be proud of your library. I can truthfully say that the area that I described would continue to grow and improve over

the next 20 years to become the most outstanding location of a library in the country. It is estimated that this would cost in the neighborhood of 70-80 million dollars--but the state is ready to face and raise that amount. If I could raise one million dollars from Pulaski County for the U of A Presidents House of Cammack Campus--I feel certain we in Arkansas and the United States can raise 70-80 million for your library.

This will be a showplace in your honor and for Arkansas. In your lifetime you will see the area from the State Capitol to Barber Street in the East completely rejuvenated as a new living concept and anentertaining and convention area for central Arkansas. The dominant feature would be your library and teaching facilities in a magnificent garden setting.

Please give my best regards to Hillary and I hope that we may have occasion to meet sometime in the future and have some old time discussions and a visit. I can't close without saying how proud I am of your handling of your Presidency in the minority position of the Senate and House. I also admire your moving more to the center which I know is your preference. Kula sends her best.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Frank", written in dark ink.

Frank G. Kumpuris, M.D.

FGK/kbw

Frank G. Kumpuris, M.D. F.A.C.S.
2317 North Palm
Little Rock, Arkansas 72207



President Bill Clinton
Office of the President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500-2000

Personal

20300/2000



The Anniston Star

"Alabama's Largest Home-Owned Newspaper"

97 JUL 10 1997

Office of the Editor and Publisher

June 25, 1997

The President
The White House
Washington, DC 20500-2000

Dear Mr. President:

A funny thing happened to Sandy Berger after addressing the Council on Foreign Relations. With a shock of recognition, he met the boss of The Star editor who asked you the only policy question you couldn't answer at the ASNE meeting.

Another funny thing is: I haven't asked any friend who became President for help--even though the government took my TV station under Jimmy Carter, and we lost Fort McClellan under you. And what has it given us? Seven percent of the nation's stockpile of chemical weapons.

Which leads me to say, Help! We urgently need National Defense priority designation for a bypass road from I-20 to the abandoned Fort McClellan property. It would be a main evacuation route for the more populous area of the county in the event of an accident while the chemical weapons are being burned. Incidentally, that is the route Josie and I would take.

Deputy Assistant Secretary of Defense Theodore Provic is most intimately acquainted with our problems and with other national defense reasons for giving the bypass priority. I appeal to you, my friend, only on this basis: If you take something from a people, you should be careful to replace it with something of value.

Bouquets of support and prayers for deliverance to the besieged Hillary from the two of us.

Cordially,


H. Brandt Ayers
HBA: bjh
cc: Mr. Sanford E. Berger

216 West Tenth Street
Telephone (205

Send to Donsky

Yes

No

Coord
with

NSA

NBL

Donsky

7/10/97

C.

The Anniston Star

P.O. Box 189
ANNISTON, ALABAMA 36202-0189



The President
The White House
Washington, DC 20500-2000

219197

Send to Donkerud

Yes ☒

No ☐

Coordinate w/WSC Yes ☒

No ☐

Coordinate w/Counsel Yes ☐

No ☐

Don-
Check with NSC legal.
but I don't know needs
to respond to this
JHM

ATLANTA, GEORGIA
BRUSSELS, BELGIUM
CHARLOTTE, NORTH CAROLINA
HONG KONG
KNOXVILLE, TENNESSEE
MCLEAN, VIRGINIA

HUNTON & WILLIAMS

RIVERFRONT PLAZA, EAST TOWER

951 EAST BYRD STREET

RICHMOND, VIRGINIA 23219-4074

TELEPHONE (804) 788-8200

FACSIMILE (804) 788-8218



NEW YORK, NEW YORK
NORFOLK, VIRGINIA
RALEIGH, NORTH CAROLINA
WARSAW, POLAND
WASHINGTON, D.C.

FILE No.: 99992.000002
DIRECT DIAL: (804) 788-8455

July 2, 1997

The Honorable Madeleine K. Albright
Secretary of State
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

THE VIENNA CONVENTION ON CONSULAR RELATIONS AND ARTICLE 36

Dear Madam Secretary:

We followed closely the execution by Texas of Mexican national Irineo Tristan Montoya on June 18, 1997, and in our view, the events surrounding that incident confirm and validate the points made in the attorneys' joint letter of May 14, 1997 to you. We write to you in part because of the Fourth Circuit's June 19, 1997 opinion in the case of Mario Murphy, our Mexican client. In that opinion, the Fourth Circuit forgives Virginia's breach of Article 36 and dismisses Mr. Murphy's appeal, perhaps bringing us closer to the day when Mr. Murphy, like Mr. Tristan Montoya, will be put to death in violation of Article 36 of the Vienna Convention.

As Mr. Murphy may face execution in the next few months, we thought you might wish to know a little more about his case. He was one of six persons involved in the murder for hire of James Radcliff. Mr. Radcliff's wife Robin and her lover Gary Hinojosa hired the nineteen-year old Murphy and three other "boys," as the prosecutor called them, to do away with Mr. Radcliff. Mrs. Radcliff, a thirty-five year old woman with more than twenty felony convictions, stood to realize \$100,000 from the insurance on Mr. Radcliff's life. Mr. Hinojosa also was about thirty-five, and he planned and orchestrated the crime and married Mrs. Radcliff days after the murder. Mr. Murphy, by contrast, was a teenager with no significant criminal record, and he cooperated completely with the police from the moment of his arrest. Perhaps for these reasons, the Attorney General of Virginia has taken the position that "allegations that Murphy was more culpable than any of his co-defendants . . . [are] simply wrong."¹ Nonetheless, Mr. Murphy was the only one of the co-defendants who was not offered a life-

¹Brief of the Commonwealth, *Sheppard v. Commonwealth*, p. 45 (August 24, 1995).

HUNTON & WILLIAMS

The Honorable Madeleine K. Albright, Secretary of State

July 2, 1997

Page 2

sparing plea bargain and he was the only one sentenced to death. Mr. Murphy also was the only co-defendant who was *not* a United States citizen.

One of the points made in the May 14 letter was that diplomatic solutions, as to this particular problem, had proven to be no solutions at all. This point was entirely borne out by events in Texas. In Acting Legal Advisor Michael J. Matheson's letter of June 12, 1997, your Department notified Texas that Mexico had filed a diplomatic protest of the Vienna Convention violations in Mr. Tristan Montoya's case and requested that Texas conduct a "proper investigation" of the matter before executing Mr. Tristan Montoya. Mr. Matheson stated that a proper investigation required conclusions as to whether a violation occurred, and if so, whether the violation had consequences for Mr. Tristan Montoya's conviction and sentence.²

Given the persistence with which Texas has violated Article 36, we question the propriety of having that state investigate itself, but we assume that your Department, given the chance, would have solicited input from other concerned parties and reached its own independent conclusions. However a proper investigation would have unfolded in the fullness of time, the actions of Texas ensured that no real inquiry could take place at all. First, Texas announced its refusal to draw any conclusions as to the occurrence or the materiality of any violation. This refusal was based in part on the fact that *Texas was not a signatory to the Convention* — a fact that has nothing to do with whether Texas is obliged to respect Article 36.

Second, while Texas did agree to provide your Department with selected facts pertaining to the violation of Mr. Tristan Montoya's rights, it did not provide its report until two hours before the scheduled execution, and the attachments to its report were sent so they would arrive in your hands *after Mr. Tristan Montoya was dead*. While it may be reasonable to assume that much of the information Texas provided was passed along to your Department as it was obtained, rather than held for the final report, we know that neither Mr. Tristan Montoya nor Mexico had any chance to respond to that information until less than two hours before the execution. Plainly, any substantial and sincere investigation would require that your Department consider the views of all involved parties, not just those of the state accused of violating the Convention. Just as plainly, two hours was not enough time for those other parties — which included, at least, Mexico and Mr. Tristan Montoya — to respond to Texas's presentation. Thus the timing of Texas's report necessarily placed your Department in the position of having to assume the accuracy of information provided by the state that arguably has been the worst transgressor against Article 36 rights. As a result of this "cooperation" from Texas, your Department, as we understand it, was unable to complete its investigation and provide a well-

²We cannot necessarily agree that a violation of Article 36 can be inconsequential. But certainly in a death penalty case, where the decisionmaker has an unchecked right to choose life over death, the conclusion that a Convention violation is inconsequential and insignificant will rarely, if ever, be supported.

HUNTON & WILLIAMS

The Honorable Madeleine K. Albright, Secretary of State

July 2, 1997

Page 3

founded *and timely* reply to Mexico's protest. Yet for all that, Texas refused to delay Mr. Tristan Montoya's execution. In executing Mr. Tristan Montoya despite your Department's request that his execution not take place before the investigation was concluded, Texas did little to suggest that it will discontinue its decades-old pattern of willful disregard for the treaty. Its execution of Mr. Tristan Montoya did still less to establish the efficacy of diplomatic intervention in these matters.

We also made the point that the safety of Americans abroad would be compromised if our country were to execute foreign nationals in violation of the Convention. Our position on this matter was based on your Department's own longstanding rationale for enforcement of the Convention, a point your Department reiterated in its letter requesting that Texas investigate the Convention violations in Mr. Tristan Montoya's case. That position proved prescient. On the day after the execution, the *Dallas Morning News* reported that a protest against the execution on the bridge between Brownsville and Matamoros "briefly turned tense, with protesters hurling water jugs while shouting invective at anyone who looked like an American. . . . Pedestrians attempting to return to the United States ran for the northern border before the protest broke up" ³ On June 20, the *Washington Post* reported that a "handful of men, apparently drunk, threatened to kill 'gringos' in Mexican prisons. A group of women yelled: 'An eye for an eye and a tooth for a tooth.' Mexican police scanned the crowd. U.S. officials cautioned tourists crossing the border that there could be trouble." ⁴ The *Post* also reported that U.S. vice consul Jules Silberberg, who is stationed in Matamoros, said that while no travel warning had been issued, Americans should exercise additional precautions. The *Post* quoted Mr. Silberberg as saying that, "The fact is that people are out there saying they want to somehow retaliate or let the gringo know they don't approve of what's going on." The angry response of the citizens of Mexico to the execution of Mr. Tristan Montoya, which we understand also included a protest at our embassy in Mexico City, fully supports your Department's concern that the consequences of domestic defiance of Article 36 threaten the welfare of our citizens abroad. We can only imagine the level of outrage against American citizens after the states execute 35 more Mexicans in disregard of the Convention, as they currently propose to do.

That brings us to our final point. The May 14 letter suggested that only more active intervention by your Department in our clients' cases could bring about a solution to gross and systematic violation of Article 36, a solution that would ensure future compliance, redress past violations, and protect American interests abroad. We are grateful that your Department asked Texas to defer Mr. Tristan Montoya's execution until completion of the investigation into the violation of his Convention rights. But as you know, that request fell on deaf ears, just as your

³Christy Hoppe, *The Dallas Morning News*, June 19, 1997, pg. 1A, copy attached.

⁴Niko Price, *The Washington Post*, June 20, 1997, posted on washingtonpost.com, copy attached.

HUNTON & WILLIAMS

The Honorable Madeleine K. Albright, Secretary of State

July 2, 1997

Page 4

requests to the states for compliance with the Convention always have. The refusal of Texas to respect either the Convention or your Department — or for that matter, Mexico — is all the more egregious because, as Mr. Matheson pointed out in his letter, your Department twice before had been called on by diplomatic protest to defend Texas's wrongdoing in capital prosecutions of foreign nationals.⁵

If the execution of Mr. Tristan Montoya in violation of his Article 36 rights was an anomaly, that would be one thing. But as was demonstrated in the May 14 letter, condemnation of foreign nationals in violation of the Convention is far from rare, and the problems and protests that surrounded the execution of Mr. Tristan Montoya will become all too familiar if your Department does not redouble its efforts to enforce the Convention and redress its violations. In this regard, we must express our disappointment with certain aspects of the federal government's responses to date.

During oral argument before the Fourth Circuit in the case of *Paraguay v. Allen, Governor*, Justice Department lawyer Douglas Leiter argued *both* that Paraguay could not sue to enforce the treaty⁶ *and* that its national Angel Breard could not sue either.⁷ If the Vienna Convention was not a self-executing treaty, the position that neither the detained individual nor his country could sue to enforce treaty rights might be defensible. But during Congressional hearings for the ratification of the Convention, your Department testified unequivocally that the Convention was self-executing.⁸ We believe there is no precedent to support the position that a self-executing treaty is incapable of enforcement in the courts.

⁵Moreover, the Governor of Texas gave as his reason for refusing to delay Tristan Montoya's execution that the matter was properly one for the courts, while at the same time, the Attorney General of Texas was arguing to the Supreme Court that the matter was properly a diplomatic one. When all government officials responsible for enforcing the law wash their hands of the matter, it is not clear to us that any of them ends up with clean hands.

⁶Mexico's lawsuit against Arizona officials to redress the violation of Mexico's right to provide consular assistance to Ramon Martinez Villareal, who was convicted and sentenced to death in violation of the Vienna Convention, was dismissed on the same grounds as Paraguay's suit. Mexico has appealed the dismissal to the Ninth Circuit.

⁷In the case of Laotian Bountaem Chanthadara, the United States also has taken the position that the individual whose Article 36 rights were not respected lacks standing or capacity to raise a claim based on the violation. The United States advanced this argument as part of its effort to preserve the conviction and death sentence of Mr. Chanthadara, which had been obtained in violation of Article 36.

⁸Sen. Exec. Rep. No. 9, 91st Cong., 1st Sess., app. at 5 (statement of U.S. State Department Deputy Legal Advisor stating that United States regards the Vienna Convention to be "entirely self-executing.")

HUNTON & WILLIAMS

The Honorable Madeleine K. Albright, Secretary of State

July 2, 1997

Page 5

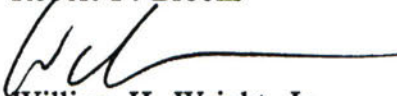
The position of the federal government also is puzzling to us in light of President Clinton's recent summit meeting in Mexico. As you know, while in Mexico, President Clinton reaffirmed the commitment of the United States to enforcement of Article 36 and promised to make its enforcement a priority. Plainly, however, if detained foreign nationals and their countries are to be denied the ability to enforce the treaty, and if your Department intends to do no more than it did in Mr. Tristan Montoya's case, we do not see how the President's commitments can be fulfilled. More forceful efforts to obtain the states' *prospective* compliance with Article 36 clearly are necessary. But those efforts obviously cannot redress the grave violations that have put dozens of foreign nationals on death row, nor can they protect the welfare of Americans traveling abroad should the United States and the states insist on "getting away with" past violations of the rights of condemned foreign nationals, as Texas did in the case of Mr. Tristan Montoya and as Virginia is doing in the case of Mr. Murphy. For this reason, and for the reasons set forth above and in the attorneys' joint letter, we would again request that your Department rebuke the cavalier disregard for the treaty that has infected the convictions and sentences of those persons identified in the attorneys' joint letter and take actions necessary to redress these most serious violations.

On another issue, the attorneys' joint letter of May 14 identified 31 foreign nationals on death rows around the United States. Since then, with the limited resources at our command, we have compiled a list of more than 60 such persons. A copy of this list is attached for your information.⁹ By no means do we think this list of condemned foreign nationals is complete. Our information remains sketchy, making it prudent to assume that the number of foreigners condemned to death in violation of Article 36 significantly exceeds the number we have been able to identify. The problem, in other words, can only be expected to grow. If your Department has a better list, we would very much appreciate a copy, as we would like to ensure that the attorneys for such persons are informed of the existence of the Convention.

Yours truly,



Robert F. Brooks



William H. Wright, Jr.

Counsel to Mr. Murphy

⁹We have not attempted to compile a list of foreign nationals already executed in breach of Article 36, though we believe there are more than a few such persons, including of course Mr. Tristan Montoya.

HUNTON & WILLIAMS

The Honorable Madeleine K. Albright, Secretary of State

July 2, 1997

Page 6

cc: The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500-2000

The Honorable Janet Reno
Attorney General of the United States
Department of Justice
Tenth Street and Constitution Avenue, N.W.
Washington, D.C. 20530

The Honorable Mary A. Ryan
Assistant Secretary for Consular Affairs
Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Mr. John Foarde
Legal Advisor on Consular Affairs
L/CA Room 5527A
Department of State
Washington, D.C. 20520

Distribution

24TH STORY of Level 1 printed in FULL format.

Copyright 1997 The Dallas Morning News
THE DALLAS MORNING NEWS

June 19, 1997, Thursday, HOME FINAL EDITION

SECTION: NEWS; Pg. 1A

LENGTH: 1306 words

HEADLINE: Texas executes Mexican despite protests;
Bush refuses to issue stay; rally briefly turns tense

BYLINE: Christy Hoppe, Austin Bureau of The Dallas Morning News

DATELINE: AUSTIN

BODY:

AUSTIN - As 200 protesters shut down commerce along the main bridge linking Matamoros and Brownsville, Texas executed a Mexican citizen Wednesday evening for his part in a 1985 murder.

Irineo Montoya, 30, a laborer, was pronounced dead in Huntsville at 6:16 p.m., six minutes after the lethal injection was administered - the 24th person to be put to death this year, the eighth this month and third this week.

Wails and shouts in Spanish of "Bush is an assassin" arose as word of the execution spread among the crowd. Gov. George W. Bush on Wednesday afternoon decided against issuing a stay that had been requested by the Mexican government.

The peaceful protest on the border briefly turned tense, with protesters hurling water jugs while shouting invective at anyone who looked like an American.

Pedestrians attempting to return to the United States ran for the northern border before the protest broke up about 6:45 p.m. Some family members and friends gathered at a nearby park to mourn.

Because Mexico does not have the death penalty, except in some military circumstances, the execution generated particular controversy south of the border.

On Wednesday, Mexican Foreign Affairs Minister Angel Gurría asked Mr. Bush to stay the execution for 30 days to allow review of Mr. Montoya's rights guaranteed under the Vienna Convention of Consular Relations.

"Ultimately, we would appeal to your sense of humanity, believing as a nation that the death penalty is a cruel and inhumane form of punishment which violates the ultimate human right: the right to life," Mr. Gurría said in a letter.

Mr. Bush decided against granting the stay late Wednesday afternoon.

THE DALLAS MORNING NEWS, June 19, 1997

Press secretary Karen Hughes said that all appeals had been exhausted and that no court had found continuing grounds to consider the case.

"Governor Bush assures the people of Mexico that Mr. Montoya had a fair trial, ample opportunity to be heard and the full protections of the Constitution and laws of the United States of America," Ms. Hughes said.

Under state law, the governor can offer a one-time, 30-day stay of execution to allow courts to consider pending legal issues.

Mr. Bush during his 2 1/2 years in office has never granted such a stay.

After the execution, Mexico's Department of Foreign Affairs said it will present the U.S. State Department with a formal diplomatic note of protest. In a statement, the Mexican department said the United States violated the Geneva Convention because Mr. Montoya was denied due process of law.

Mr. Montoya's final words were in Spanish and directed to his father and a woman who said she was his wife. The condemned man smiled and nodded to the pair as they watched through glass a few feet away.

"Goodbye. I will wait for you in heaven," he said. "I will be waiting for you. I love my parents. I am at peace with God. Fight for the good."

Mr. Montoya took a deep breath and gasped twice as the drugs took effect. He appeared to be muttering or praying just before he stopped breathing.

Officials later released a handwritten statement left by Mr. Montoya.

"May this sacrifice be for the good and bring justice to all who deserve justice and not for the use of evil," he wrote. "I apologize and beg for forgiveness to whomever I had offended, hurt and disrespected. God bless you and see you in heaven."

A crowd of about 60 protesters stood outside the prison and repeatedly yelled "Asesinol," which means assassin in Spanish, at exiting prison officials.

Among them was a shaking Emilia Montoya, the condemned man's mother, weak from cancer and the Texas afternoon heat.

"With God, they will pay," she said in Spanish to those gathered around her. "Finally, he's resting."

The family was granted several hours with Mr. Montoya earlier Wednesday before he was taken to the death chamber.

Mrs. Montoya said her son told her "not to worry, Mama," and instructed them to keep the family together.

Mr. Montoya, a native of the Mexican state of Tamaulipas, was convicted of killing John Kilheffer after he and a friend, Juan Villavicencio, accepted a ride from the victim on Nov. 17, 1985.

They drove to a park where Mr. Villavicencio suggested in Spanish that they rob Mr. Kilheffer, according to Mr. Montoya's police statement.

THE DALLAS MORNING NEWS, June 19, 1997

Mr. Montoya said he was too afraid. Mr. Villavicencio struck anyway, producing a knife and repeatedly stabbing the victim.

Autopsy reports show he was stabbed at least 22 times.

Mr. Montoya said he held Mr. Kilheffer down while Mr. Villavicencio attacked.

The two men then took some jewelry, \$ 80 and the man's car. The car was later abandoned across the border, where the men had gone dancing, Mr. Montoya reportedly told police.

Mr. Montoya was convicted almost exclusively upon the strength of his confession.

Mr. Villavicencio was tried and acquitted, according to the Texas attorney general's office.

Officials closed the international bridge in Brownsville to vehicular traffic shortly after protesters formed a blockade across the it on the Matamoros side Wednesday afternoon. U.S. customs officials said federal and local police were on standby.

As the execution hour approached late Wednesday afternoon, Mr. Montoya's supporters at the bridge said they hoped that Mr. Bush would order a delay.

"We're praying to God and George Bush that he delay this execution for 30 days so they can go over his case and see that he is innocent," said Mr. Montoya's brother, Dario Tristan Montoya. "I will hope until the last minute."

Relatives had worked for weeks to gain public attention for Mr. Montoya's case. Marches through downtown Matamoros, and protests at the international bridge, received extensive local news coverage.

Last week, the woman who said she is Mr. Montoya's wife attempted to confront Mexican President Ernesto Zedillo during a border event.

The woman, Beatriz Torres, also showed up at an appearance by Mr. Bush in Brownsville on Monday, although it was after the governor already had departed.

Under an intense afternoon sun Wednesday, supporters sang the Mexican national anthem and shouted Justicia! and Viva Mexico .

Mothers brought their babies, and at one point, a line of children stood hand-in-hand blocking cars from crossing into the United States. "Mr. Bush, Mexico wants justice for Irineo. He is innocent," shouted a man in a red T-shirt.

A few dozen cars, tour buses and trucks 18-wheelers were stuck on the bridge for close to an hour, before they could be backed out and rerouted to other ports of entry.

Reaction from motorists trapped on the bridge was decidedly mixed.

THE DALLAS MORNING NEWS, June 19, 1997

"Is somebody going to do something about this?" demanded a woman, who said she was visiting from Chicago, and who left her car to question bridge officials quietly observing the protest. "My goodness, this is ridiculous."

But Brownsville used-car dealer Inocencio Velador, who spent nearly an hour trapped on the bridge in his maroon sedan, said he sympathized.

"I think it's a good reason to protest," Mr. Velador said.

"Probably the . . . American authorities made a mistake."

After the execution, most of the protesters retreated back into Mexico.

Mr. Montoya, one of 11 Mexicans on death row in Texas, was not the first Mexican citizen put to death in the state. Ramon Montoya, who was no relation, was executed in March 1993 for killing a Dallas police officer.

The execution, however, comes after the April release of Ricardo Aldape Guerra, another Mexican citizen, who spent 15 years on Texas' death row before winning his freedom. Mr. Aldape had argued that his conviction for killing a Houston police officer was based on misconduct by police and prosecutors.

Special contributor Karen Hastings in Matamoros, Mexico, and The Associated Press in Huntsville, Texas, contributed to this report.

GRAPHIC: PHOTO(S): 1. Irineo Montoya. (2. Associated Press) Protesters gather Wednesday in Matamoros, Mexico, to rally against the execution of Mexico's Irineo Montoya in Texas.

LANGUAGE: ENGLISH

LOAD-DATE: June 20, 1997



washingtonpost.com | [home page](#) | [site index](#) | [search](#) | [help](#) |

Mexico Celebrates Unlikely Martyr

By Niko Price

Associated Press Writer

Friday, June 20, 1997; 7:07 p.m. EDT

MEXICO CITY (AP) -- He is an unlikely martyr.

A laborer with a fifth-grade education, he was convicted of murdering a man who picked him up on a desolate Texas highway, and was executed this week at a prison in Huntsville, Texas.

But when the Chevrolet Suburban carrying Irineo Tristan Montoya's body rolled into Mexico late Thursday night, hundreds of people thronged the bridge over the Rio Grande to salute him -- and curse the country that killed him.

As Mariachis in full costume played the popular folk song "Beautiful and Beloved Mexico," the crowd cheered and children flocked after the convoy.

But it was a bitter celebration. Montoya's punishment, which many Mexicans deem unjust, symbolized -- at least for a day -- the chronic indignities that Mexicans feel they suffer at the hands of their northern neighbors.

A handful of men, apparently drunk, threatened to kill "gringos" in Mexican prisons. A group of women yelled: "An eye for an eye and a tooth for a tooth." Mexican police scanned the crowd. U.S. officials cautioned tourists crossing the border that there could be trouble. ←

Jules Silberberg, vice U.S. consul in Matamoros, said U.S. officials have not issued a travel warning, but urged Americans to exercise additional precautions if they plan to travel to Mexico over the next few days. ←

"The fact is that people are out there saying they want to somehow retaliate or let the gringo know they don't approve of what's going on," he said.

Mexico doesn't have a death penalty, except in military courts, and many people here felt outraged that the United States could execute a man they believe was innocent.

But the elevation of Montoya to popular martyrdom has as

much to do with the perception among Mexicans of mistreatment by Americans.

Steel walls along parts of the border, increasingly restrictive immigration laws, violence and discrimination faced by many immigrants in the United States -- Montoya has come to represent all such insults.

"Beyond the formal relations of governments, this touches popular sentiments," said Oscar Gonzalez, president of the Mexican Academy of Human Rights. "It has left a deep mark."

Added Rodolfo Stavenhagen, a sociologist at the Colegio de Mexico: "(The execution) is an expression of racism, of marginalization, of the exclusion of Mexicans by a system that is controlled by others."

Stavenhagen said people are beginning to view Montoya as a "bandit-hero." Since the Mexican Revolution, men who defy bullying sheriffs and are killed while defending themselves have been venerated in popular lore.

"People have identified this person as a victim," Stavenhagen said.

Montoya, 30, was given a lethal injection Wednesday evening for the 1985 robbery and stabbing death of motorist John Kilheffer near Brownsville, Texas. Supporters say he had signed a confession in English that he did not understand, had no attorney at the time of his arrest and was denied the right to contact Mexico's consul.

On Friday, Montoya's brother, aunt and grandmother led a group in prayer in their red cement house in the dusty town of Congregacion Anahuac, 280 miles north of Mexico City.

Montoya's body was being driven there for burial Saturday in a small graveyard. Black mourning ribbons hung from poles along the town's dirt roads.

Montoya was the second Mexican executed in Texas; 10 more sit on the state's death row. Ricardo Aldape Guerra also was on death row in Huntsville, but was freed in April after a court ruled that police and prosecutors mishandled the investigation of a police officer's death.

After 15 years of prison, Aldape Guerra returned to a hero's welcome in his hometown of Monterrey and has since signed a contract to act in a soap opera about Mexican immigrants in the United States.

© Copyright 1997 The Associated Press

[Back to the top](#)

washingtonpost.com

| [home page](#) | [site index](#) | [search](#) | [help](#) |



Foreign Nationals On Death Rows In United States

STATE	FOREIGN NATIONAL	COUNTRY OF ORIGIN
Arizona	Martin Raul Fong Soto	Mexico
	Ramon Martinez Villareal	Mexico
	Toribio Rodriguez	Mexico
	Walter LaGrand	Germany
	Karl LaGrand	Germany
	Michael Apelt	Germany
	Rudy Apelt	Germany
	Jose Villafuerte	Honduras
	Jose Amaya Ruiz	El Salvador
	Claude Maturana	France
Arkansas	Rafael Camargo Ojeda	Mexico
California	Carlos Avena Guillen	Mexico
	Luis Aviles, aka Omar Fuentes Martinez	Mexico
	Juan Hector Ayala	Mexico
	Vicente Benavides Figueroa	Mexico
	Constantino Carrera Montenegro	Mexico
	Lupercio (or Juan) Cazares	Mexico
	Abelino Manriquez	Mexico
	Sergio Ochoa Tamayo	Mexico
	Ramon Salcido Bojorquez	Mexico
	Alfredo Valdez Reyes	Mexico
	Jaime Armando Hoyos	Mexico
	Tomas Verano Cruz	Mexico
	Jaturan Siripongs	Thailand
	Manuel Machado Alvarez	Cuba
	Migeul Angel Bacigalupo	Peru
Florida	Krishna Maharaj	England
	Dieter Reichmann	Germany

STATE	FOREIGN NATIONAL	COUNTRY OF ORIGIN
Illinois	Juan Alonso Caballero	Mexico
	Mario Flores Urbano	Mexico
Montana	Ronald Smith	Canada
Nevada	Manuel Lopez	Mexico
	Carlos Gutierrez	Mexico
	Avram Vineto Nika	Yugoslavia
North Carolina	Bernardino Zuniga Zuniga	Mexico
Ohio	Jose Trinidad Loza	Mexico
	Abdul Awkal	Lebanon
	Kenneth Richie	England (disputed)
Texas	Cesar Roberto Fierro	Mexico
	Miguel Angel Flores	Mexico
	Roberto Moreno Ramos	Mexico
	Javier Suarez Medina	Mexico
	Hector Torres Garcia	Mexico
	Edgar Tamayo Arias	Mexico
	Irineo Tristan Montoya (executed)	Mexico
	Santiago Margarito Varelas	Mexico
	Oswaldo Regalado Soriano	Mexico
	Daniel Angel Plata Estrada	Mexico
	Humberto Leal	Mexico
	Jose Ernesto Medellin Rojas	Mexico
	Ramon Montoya Facunda (executed)	Mexico
	Carlos Santana (executed)	Dominican Republic
	Victor Hugo Saldano	Argentina
	Stanley Joseph Faulder	Canada
Virginia	Mario Benjamin Murphy	Mexico
	Angel Francisco Breard	Paraguay/Argentina
	Manuel Quintana (died on death row before execution)	Cuba

STATE	FOREIGN NATIONAL	COUNTRY OF ORIGIN
Oklahoma	Tuan Anh Nguyen	Vietnam
	Hung Thanh Le	Vietnam
	Gilberto Martinez	Cuba
	Sahib Al-Mosawi	Iraq
	Ong Vue (facing capital trial)	Laos
	Juan Duarte (facing capital trial)	Mexico
Oregon	Horacio Alberto Reyes Camarena	Mexico
Washington	Patrick James Jeffries (facing retrial on sentencing)	Canada
	Kwan Fai Mak (facing capital re-trial)	Hong Kong
Federal	Bountaem Chanthadara	Laos
	Leonel Cazaco (facing capital trial)	France
	Name unknown (facing capital trial)	Jamaica

HUNTON & WILLIAMS
RIVERFRONT PLAZA, EAST TOWER
951 EAST BYRD STREET
RICHMOND, VIRGINIA 23219-4074

The President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500-2000

THE WHITE HOUSE
WASHINGTON

Date

7/10

To:

Stephanie Street

From:

The Staff Secretary

Your office should respond
to the attached letter, which
Jan Paschal sent to Rebecca
Cameron.

Paul

PH/CC:

Mickey Ibarra
Ann Lewis
Elena Kagan



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

July 8, 1997

William Jefferson Clinton
President
United States of America
The White House
Washington, D. C. 20500

Dear Mr. President:

We are writing to invite you to participate in an event which directly supports one of your key platform agendas -- the education of our youth. This September at John Hancock Financial Services headquarters in Boston, we will celebrate the City's first "Every Child Is Ours" project in which the business community is banding together to place one million books in the hands of Boston youth. Dick Riley's regional representative, Jan Paschal, has ably assisted us in developing and implementing this program.

The city and business community are very proud to undertake efforts such as these which we see as an outgrowth of our America Reads program and general call to action. Boston has successfully brought education, private industry, higher education, government and community leaders together to plan improvements in public education under the collaborative umbrella of the Boston Compact.

In support of the Compact, two years ago our city began the "Read Boston" initiative which supports your national goal of getting every child to read by the end of the third grade. The marathon book drive will provide one of the most vital tools to help accomplish this purpose -- a book in the hands of every child.

At the event in September, Boston business community leaders and supporters of the Boston Compact would join many of the children who have received the books in reporting on the success of the book drive and other education programs. We hope that you will be able to join us.

Sincerely,

Thomas M. Menino
Mayor of Boston

Stephen L. Brown
Chairman & CEO
John Hancock Financial Services
Signatory, Boston Compact Steering Committee

THE WHITE HOUSE
WASHINGTON

Date 7/10

To: *Stephanie Street*

From: The Staff Secretary

Your office should respond
to the attached letter, which
Jan Paschal sent to Rebecca
Cameron.

Phil

BH/cc: Mickey Ibarra
Ann Lewis
Elena Kagan



UNITED STATES DEPARTMENT OF EDUCATION
REGION I
OFFICE OF THE SECRETARY'S REGIONAL REPRESENTATIVE
J.W. MCCORMACK POST OFFICE AND COURTHOUSE - ROOM 540
BOSTON, MASSACHUSETTS 02109
(617) 223-9317

'97 JUL 10 PM 12:31

FAX # 617 223-9324

TEL# 617 223-9317

FAX COVER SHEET

TO:

Rebecca Cameron
White House

Fax # 202 - 456 - 2883

FROM:

Jan Paschal
U.S. Department of Education

Number of pages (including cover sheet) 2

Message:

Dear Rebecca:

This is a very important event. I will be in Washington the week of 7/21-25--could you schedule me to meet with the President for a few minutes. Thank you for your help.

Jan

Staff Sec -
I'll handle
- Jan's request
to see POTUS -
can you pls. route
the request on
p. 2?
Rebecca



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

July 8, 1997

William Jefferson Clinton
President
United States of America
The White House
Washington, D. C. 20500

Dear Mr. President:

We are writing to invite you to participate in an event which directly supports one of your key platform agendas -- the education of our youth. This September at John Hancock Financial Services headquarters in Boston, we will celebrate the City's first "Every Child Is Ours" project in which the business community is banding together to place one million books in the hands of Boston youth. Dick Riley's regional representative, Jan Paschal, has ably assisted us in developing and implementing this program.

The city and business community are very proud to undertake efforts such as these which we see as an outgrowth of our America Reads program and general call to action. Boston has successfully brought education, private industry, higher education, government and community leaders together to plan improvements in public education under the collaborative umbrella of the Boston Compact.

In support of the Compact, two years ago our city began the "Read Boston" initiative which supports your national goal of getting every child to read by the end of the third grade. The marathon book drive will provide one of the most vital tools to help accomplish this purpose -- a book in the hands of every child.

At the event in September, Boston business community leaders and supporters of the Boston Compact would join many of the children who have received the books in reporting on the success of the book drive and other education programs. We hope that you will be able to join us.

Sincerely,

Thomas M. Menino
Mayor of Boston

Stephen L. Brown
Chairman & CEO
John Hancock Financial Services
Signatory, Boston Compact Steering Committee

THE WHITE HOUSE
WASHINGTON

July 10, 1997

John: *Podesta*

I noticed that the POTUS sent you the Abe Pollin memo/letter we sent him back in April -- I wanted to make sure you had the full package/picture.

A few weeks ago, Pollin began to phonebank Craig Smith about the status of his request to POTUS re: Ticketmaster and WH tour tickets. In talking with Craig and Nancy, we came to the conclusion that the POTUS hadn't signed the April response because he didn't like it and wanted it beefed up. I sent him a rewritten letter at the end of June. He promptly signed it and added a handwritten note on the bottom (attached).

Call me to discuss this if you want. Craig has an interesting interpretation of POTUS' note.

Phil Caplan *Phil*

THE PRESIDENT HAS SEEN
6-27-97
THE WHITE HOUSE
WASHINGTON

June 27, 1997

MR. PRESIDENT:

Abe Pollin made a suggestion to you about commercial distribution of White House tour tickets and you asked Sylvia to look into it. We sent a cover memo and draft response to you some time ago, but we understand you would probably prefer a more substantial response. Accordingly, we've attached an updated letter to Pollin. He has, incidentally, been calling Craig Smith to ask about the status of his letter.

Todd Stern
Phil Caplan *PC*

*Ine
package -
PONS signed*

ME.

225015
WH-002-04

THE WHITE HOUSE
WASHINGTON

June 27, 1997

COPY

PERSONAL

Mr. Abe Pollin
Chairman of the Board
USAirways Arena
One Harry S. Truman Drive
Landover, Maryland 20785

Dear Abe:

Thank you for your interest in the distribution of White House tour tickets. I'm sorry that I haven't responded sooner, but I appreciated your suggestions and asked my staff to look seriously into them.

I'm advised that we already have a system for distributing timed tickets that, for several reasons, fits the particular needs of the White House. Among them, most tickets are distributed each morning for tours that day, which permits much-needed flexibility. We are often forced to close the White House on very short notice due to special events here or for other reasons. Making widespread advance tour tickets available could leave a false impression that the tours are guaranteed.

Thanks, too, for the stadium pretzels. You were kind to send them along, and I am grateful for your continued thoughtfulness and support. Please share my appreciation and best wishes with your staff.

It was good to see you at the White House, and I look forward to getting together again.

Sincerely,

Bill

If you think more should
be done on this, let me
know -

970701

THE PRESIDENT HAS SEEN
7-7-97

THE WHITE HOUSE
WASHINGTON

copied
Podesta
COS

April 11, 1997

MR. PRESIDENT:

You asked Sylvia to look into Abe Pollin's suggestion regarding TicketMaster doing the ticketing for White House tours. The attached memo from Sylvia, John Podesta and Jodie Torkelson explains that commercial distribution of WH tickets has a number of drawbacks and would not be a good idea.

April
package -
podesta did not sign

The National Park Service currently distributes 3,000-5000 free, timed, non-guided tour tickets a day. The Visitors Office administers free, timed, guided tours for another 1,800 visitors a day that the public may request in advance.

Bottom line, is that a private sector distribution firm like TicketMaster would charge a service fee for every free ticket distributed. Sylvia/John/Jodie are concerned about the appearance of charging people for an experience that has traditionally been free-of-charge, no matter how nominal the fee would be. Furthermore, when the Residence is closed on short notice because of Presidential events, tours are simply canceled and tickets for that day are not distributed; use of a private firm could convey the false impression of a guaranteed date and time of tour.

We have attached a letter for your signature to Abe Pollin.

Phil Caplan
Thi

THE PRESIDENT HAS SEEN
Podesta 7-7-97

The Pollin
Matter was
discussed -
Bo

7-7-97

THE WHITE HOUSE

WASHINGTON

April 8, 1997

'97 APR 10 AM 8:52

MEMORANDUM TO THE PRESIDENT

FROM: SYLVIA MATHEWS
JOHN PODESTA
JODIE TORKELSON

SUBJECT: White House tour ticket distribution

To follow up on a conversation you had with Abe Pollin, you asked us to look into the option of distributing White House tour tickets through a service, such as Ticketmaster, similar to the distribution of Holocaust Museum tickets. We agree with Mr. Pollin that the idea of timed tickets is a good one, and we are already using them, both in advance through the offices of the Members of Congress, and on the same day through the White House Visitors Center. We believe that commercial distribution of White House tickets has a number of drawbacks and would not recommend it at this time.

Current System:**1. Public Tours**

Same-day, timed White House public tour tickets are currently distributed each morning by the National Park Service on a first-come, first-served basis. Approximately 3,000-5,000 tickets are available each day. Distribution begins at 7:30am from the White House Visitors Center, and runs until the supply is exhausted. Times on the tickets are every ten minutes, from 10am to noon. At the time scheduled on their ticket, guests are escorted from the staging area to the White House in groups of 300. These tours are not guided.

2. Congressional Tickets:

We currently also have a system through which the public may request advance, timed, guided tour tickets. This system is administered by the White House Visitors Office and the Members of Congress. On a daily basis, approximately 1,200 visitors are accommodated with these individual tickets, and another 600 on reserved group tours, totaling 1,800. While the guided tours take place continuously from 8:15am to 9:00am in groups of 70, the tickets are timed for every 15 minutes, to avoid having all 1,800 people arrive at once. Allowing other sources to also offer advance ticket distribution may not be well received by Members of Congress.

3. Cost:

A private sector ticket distribution firm would charge a service fee for every free ticket distributed. Even if the service fee were nominal, we are concerned about the appearance of charging people anything for an experience that has historically been free.

4. Benefits of Using Visitors Center:

Tours are occasionally canceled at the last moment due to unanticipated events in the Residence. Under the current system, most visitors to the White House utilize the same-day, self-guided tours. On days when the Residence must be closed, these tickets are simply not distributed. Although these people are disappointed that the tickets are not available on that particular day, the majority of visitors have not made arrangements (e.g., specific vacation plans) based on the false impression of a guaranteed date and time of a tour. Changing our current distribution system would increase the number of disappointed people on days the Residence is closed.

Additionally, people who obtain their tickets through the Visitors Center are exposed to the educational materials that are available there, improving the actual tour. Without this process, people would miss the orientation designed to enhance the self-guided tour.

Future Expansion:

We are working with the Visitors Office to expand opportunities for the public to tour the White House. We examined the possibility of expanding the hours that tours are given, but concluded that the extra hours would cause too much conflict with other events scheduled in the residence. The National Park Service has implemented a year-round advance reservations system with tickets for a specific date and time on a trial basis at the Washington Monument. While it would be hard to solve the problem of short term closings, we will look at the results of this experiment at the Monument. Please keep in mind that the Monument is not subject to short-notice closings, except for severe weather.

Letter to Abe Pollin:

We have attached a letter for your signature and addressed to Abe Pollin, thanking him for his idea and explaining that we currently have a system that fits our particular needs.

THE WHITE HOUSE

WASHINGTON

April 11, 1997

PERSONAL

Mr. Abe Pollin
Chairman of the Board
USAir Arena
One Harry S. Truman Drive
Landover, Maryland 20785

Dear Abe:

Thank you for your interest in the distribution of White House tour tickets. I appreciated your suggestions and asked my staff to look into them, but we already have a system for distributing timed tickets that fits the particular needs of the White House.

Thanks, too, for the stadium pretzels. You were kind to send them along, and I am grateful for your continued thoughtfulness and support. Please share my appreciation and best wishes with your staff.

It was good to see you at the White House, and I look forward to getting together again.

Sincerely,

Rec'd in G.U.

MAR 10 1997

March 4, 1997

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

Thank you very much for allowing me to see you yesterday in the Oval Office. Never having been there before, it was, indeed, a real thrill for me to be in that very special place.

I hope you agree with me that selling timed tickets by TicketMaster for White House visitors is a good idea and that it can be implemented.

I hope you enjoy the pretzels as much as my staff enjoyed baking them for you.

Very best personal regards.

Sincerely,


Abe Pollin

*Call Sybil
Make sure
he follow up*

P.S. I hope, Mr. President, that you will find it possible to honor us with your presence at a Washington Capitals game. I know you will really get a kick out of it!

Enclosures