

The Honorable Arnold Schwarzenegger
Governor of California
State Capitol Building
Sacramento, California 95814

Re: Romaine Fitzgerald—B27527

Dear Governor Schwarzenegger:

Pursuant to Article V, Section 8, of the California Constitution, you have the extraordinary executive power to affirm, modify or reverse a decision of the California Board of Prison Terms (the “Board”) as to parole for people serving indeterminate life sentences. And, you have exercised that power in denying parole to hundreds of inmates to whom the Board has granted parole, including in the case of *Sandra Lawrence*. Of course, in 2008, the California Supreme Court overruled your decision in the *Lawrence* case, and ruled that the Board’s charge is to grant parole except where there is a showing of present dangerousness.

Romaine Fitzgerald has been incarcerated under a life term for 40 years now, even though he has been eligible for parole for 33 years. In 2008, the Board denied parole to Mr. Fitzgerald despite the failure of evidence that he represented a present danger. Its denial was, therefore, unlawful. Moreover, as Board commissioners at that last, July 2008 hearing challenged Mr. Fitzgerald to renounce the political views he held at the time of the commission of the crime when he was a member of the Black Panther Party, I believe the denial was politically motivated.

At the hearing, Mr. Fitzgerald showed that he had never been charged with a violent infraction during his long incarceration, that he had participated in innumerable rehabilitative programs, been trained in several vocational fields and fulfilled all work assignments. In 1998, he suffered a stroke, and, as a result, remains partially paralyzed. On April 11, 2009, he turned 60 years old. In consideration of all of the above and in the absence of any showing of present dangerousness, I am urging you to reverse the Board’s politically-charged, unlawful denial and grant parole to Romaine Fitzgerald.

Sincerely yours,

[Name]

Date

Address

Telephone/Email