

Judge Rosen,

My name Esther Rose Harriot and I am writing to you on behalf of Matthew Alex Erickson. I am under the impression that you will be sentencing him for case # 589641. I would like to encourage you to use your discretion to sentence him on the lower side of the sentencing grid.

I have known Matt for a few years now and he has become my best friend, one of the most important people in my life. I depend on him for physical safety, emotional, intellectual and creative support. In the past few years Matt has always been there when I needed him and has really helped me gain the confidence to take on more leadership roles in every aspect of my life. He has also inspired me to be brave, bold and unapologetically honest.

I would personally be greatly impacted by his incarceration. As a result I would be less safe and supported. Our community at large would also be greatly impacted. Matt does a lot of caring labor both by providing meals and emotional support to the community, especially those with severe trauma. He teaches us many things, including but not limited to, art, poetry, music, a/v and other creative endeavors. As I am sure you have noticed, a lot of people came to Matt's hearings and that was just a drop in the bucket compared to those that hold him dear and rely on him.

I recall the prosecutor telling the jurors that context doesn't matter. As it appears, it was not their job to consider the context. I believe it is your job to consider the context to determine sentencing.

The larger context in which these events occurred is one in which a black man is MURDERED every 28 hours by POLICE or VIGILANTES in this country (<http://www.alternet.org/news-amp-politics/1-black-man-killed-every-28->

[hours-police-or-vigilantes-america-perpetually-war-its](#)); one in which police do not protect but rather police and brutalize black and brown communities; one in which the Seattle Police Department is under investigation by the Department of Justice due to their racist, generally problematic and violent policing; one in which Matt had made multiple Use of Force Complaints against these specific police officers; one in which Matt was “Copwatching” (using a camera phone to document police interactions with vulnerable populations); one in which poor people of color do not receive adequate representation: “defense lawyers are constantly forced to violate their oaths as attorneys because their caseloads make it impossible for them to practice law as they are required to do according to the profession’s rules” (http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/sclaid/20110325_aba_resolution107.authcheckdam.pdf); a context in which you acknowledged it is impossible to provide diverse juries in King County, inevitably leading to racial and economic bias; a context in which black and white people are shown to commit crimes at the same rate but black people are much more likely to go to jail; a context in which a vigilante can follow and murder a black youth and be acquitted (example: George Zimmerman's murder of Trayvon Martin) but a black woman fires a warning shot in the air, to let the man who had abused her for years, know that she would now defend herself and she faces 20-60 years in jail (Marissa Alexander). At virtually every step the context in which we live serves to undermine and jeopardize black lives.

Matt defended himself. In the world we live in, he would have to be crazy to think anyone else would. He couldn't rely on the police because they, specifically Chase and Clay let Matt know that they were a threat, that in

general police (and vigilantes) routinely kill black men with impunity.

(Examples: Trayvon Martin, Mike Brown, Oscar Grant, Sean Bell and the list goes on and on.)

He could not trust his public defender to effectively defend him because, as cited above, the system does not allow for it. (Cited above.) I worked at a public defenders office in college and was told by the head public defender that they had to work 70 hour weeks and were operating at 200% the American Bar Association minimal standard for effective representation. That means that everyone that has a public defender is not receiving adequate representation. If we generalize, that means everyone gets 50%, half, of the assistance that would be required to receive a fair trial. This was very evident as those of us in the court supporting, that had any previous legal experience, saw many times where his lawyer could, should and probably would have made arguments in defense of Matt. We all remain baffled that a knife expert was never called. The knife Matt possessed was completely legal. It was not long enough to go over the legal limit, it would have inflicted more harm on Matt if he would have ever attempted to use it as brass knuckles because it was never intended to be brass knuckles. It is not spring-loaded. His lawyer did not make all of the points necessary to effectively represent Matt and in fact, on the last day of the trial his lawyer came in with no legal defense. He was relying solely on jury nullification or had already resigned to the loss. I imagine that this would not be the case if he had the capacity to fully represent Matt, or even at least represent him above to 50% mark. 50% in all fields of study is an F, a fail and that is exactly what we are doing to poor defendants, disproportionately black and brown, we are failing them.

Matt could not trust the process because, as you noted Judge Rosen, it is impossible to get a diverse and representative jury. That no matter how much work is being done in that regard, until we are able to produce such a jury, the constitutional right to a jury of ones peers is routinely violated. Matt remained consistent the entire trial, he has always maintained that he had a legal knife and he pulled it out solely to protect himself against a crowd of people that were coming at him with weapons. The investment banker that testified was able to see that in just a glance. The police saw the same thing. By their own report they establish that there was in fact a crowd of people, that they know, some by name following Matt. These people are confirmed by the eye witness to have been swinging weapons at Matt.

It completely defies procedure that they would have allowed a crowd of people, noted to be hostile to “assist” in an arrest. Assist meaning stomp on him, this is visible in the video, as are a couple of the crowds weapons. Why was this crowd able to chase down a black man call him a nigger, then stomp him out, continue to yell racial epitaphs and just walk away without even a question asked of them?

This story should be unbelievable but it is not. As I said above Matt exists as a black man in a world that does not respect black lives. Where black men are literally under attack, 1 murder every 28 hours by police or vigilantes. Matt knows all this, he lives all of this and that is why he defended himself. You know the context in which these events occurred. You also have the power to decide what the consequence will be for Matt, his loved ones and the community at large. Your judgment will read like the price tag, the cost, of self defense for a black man according to your court.