

MAXINE WATERS

MEMBER OF CONGRESS
35TH DISTRICT, CALIFORNIA

CHIEF DEPUTY WHIP

COMMITTEES:
FINANCIAL SERVICES

SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY
CHAIRWOMAN

JUDICIARY

SUBCOMMITTEE ON CRIME, TERRORISM
AND HOMELAND SECURITY

SUBCOMMITTEE ON IMMIGRATION,
BORDER SECURITY AND CLAIMS

Congress of the United States
House of Representatives
Washington, DC 20515-0535

June 10, 2009

PLEASE REPLY TO:

WASHINGTON, DC OFFICE

2344 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-0535
PHONE: (202) 225-2201
FAX: (202) 225-7854

DISTRICT OFFICES:

LOS ANGELES OFFICE

10124 SOUTH BROADWAY
SUITE 1

LOS ANGELES, CA 90003
PHONE: (323) 757-8900
FAX: (323) 757-9506

WESTCHESTER OFFICE

6033 WEST CENTURY BOULEVARD
SUITE 807

LOS ANGELES, CA 90045
PHONE: (310) 642-4610
FAX: (310) 642-9160

Via Fax. No. 011-509-2298-3900

Prime Minister Michele Pierre-Louis
Premier Ministre
Villa d'Accueil
Delmas 60
Musseau
Port-au-Prince
Haïti

Re: Prisoner Ronald Dauphin

Dear Prime Minister:

I am writing to express my urgent concern about Ronald Dauphin, a seriously ill man who has spent five years in Haitian prisons without trial.

I have been informed that a human rights delegation from my home state of California saw Mr. Dauphin during a visit to the National Penitentiary on April 16th. The delegation included a nurse and an emergency medical technician, who examined Mr. Dauphin briefly and concluded that he suffered from multiple serious and perhaps life-threatening health problems. Mr. Dauphin even lost consciousness during the examination.

Mr. Dauphin's family and his attorney have tried to obtain adequate medical treatment for Mr. Dauphin, but the prison authorities have failed to provide authorization. Attorney Mario Joseph wrote to the headquarters of APENA, the Haitian prison authority on April 23rd, and visited on April 24th, 27th and 30th, asking for authorization for a private Haitian doctor to visit and treat Mr. Dauphin.

Mr. Dauphin was arrested by paramilitary forces on March 1, 2004, without a warrant. He was charged with participation in the *La Scierie* massacre in 2005, but on April 13, 2007, the Appeals Court ordered the Trial Court to correct the "grave procedural errors," "violations of the right to defense," and "deplorable thoughtlessness" of the charging document. For the last two years, the case has been stuck in legal limbo and has not advanced. It does not even have a Trial Court judge assigned to it.

Five years' imprisonment without trial is a great injustice in itself, but it would be a tragedy if the prison authority's failure to provide adequate medical treatment caused the injustice to become a death sentence. This risk is real; one of Mr. Dauphin's co-defendants, Wantales Lormejuste, died in January 2007, of untreated tuberculosis, in the ambulance from the prison to the hospital.

I respectfully request that you ensure that Ronald Dauphin is immediately transported to a hospital for a full examination and treatment of his illness. I also respectfully request that you take all appropriate measures to ensure that Mr. Dauphin is granted pre-trial release from prison, and his case is either dismissed or promptly brought to trial.

As you know, I am committed to strengthening democracy in Haiti and follow events there closely, so I would appreciate it if your office would keep me informed about the measures you have taken in this regard.

Sincerely,

A handwritten signature in black ink that reads "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters
Member of Congress

MW:ks

cc: The Honorable Raymond A. Joseph
Ambassador
Embassy of Haiti
2311 Massachusetts Avenue, NW
Washington, DC 20008