

Port-au-Prince, May 9, 2007

Rocky PIERRE
Public Prosecutor of St Marc
First Instance Court
Rue P. Pinchinat, Saint-Marc

To Mr. Rocky Pierre, the Public Prosecutor,

The National Human Rights Defense Network (RNDDH) acknowledges your correspondence addressed to Vilès Alizar, Program Director, dated May 4, 2007, which was later broadcasted on various radio stations within the capital on May 5, 2007, in which you demanded him to rectify his statement regarding what RNDDH called "*the shameful release.*"

RNDDH considers this demand as an intimidation attempt, and a petty way to scorn the truth.

After having retraced your career as a magistrate, you declared: "This information was revealed so that all may know I have never committed any distortions within the duties of my position." RNDDH holds you to the standard set forth in this declaration. Unfortunately, due to the various complaints compiled against you throughout your turbulent career, you do not meet this standard.

You act as if you were a victim of a political maneuver after the Minister of Justice, Jean Baptiste Brown, dismissed you on August 5, 2002 for having executed a release order without even indicating the name of the accused. If you were referring to the release of Elie Pierre (killed on Rue Frère during a shootout between rival gangs on April 3, 2006), RNDDH would like to be informed of whose judicial decision it was. You claim that you have been cleared of any wrongdoing in this case, but was there an administrative investigation carried out by a commission? If so, where is the report of its findings? You said that you were reintegrated into your duties on April 13, 2003 as a public prosecutor within the Croix-des-Bouquets First Instance Court by the Minister of Justice, Calixte Delatour (who was accused in the **La Scierie** massacre). How did it come about that the

Minister Henri Marge Dorleans demoted you to become the Saint Marc Assistant Public Prosecutor? Does a reintegration into the judicial system mean an official has been washed of a stain? It seems, Mr. Pierre, that in your declaration, you have already forgotten the “good old days” of the so-called “three musketeers” of the Port-au-Prince jurisdiction; a well known lawyer, a judge dismissed on an account of corruption, and an Assistant Public Prosecutor silenced in the countryside. According to many reports, the “musketeers” were responsible for the scandalous release of drug traffickers and other dangerous professional criminals in exchange for large sums of money.

You act as if you were defending “*society’s*” position in the case of *Amanus Mayette*, by demanding the punishment of the authors, co-authors and accomplices of the **La Scierie** case in conformation with the law. Yet on the day of the hearing, you yourself brought the “*decision*” to the Minister of Justice to release *Mayette* by means of *Habeus Corpus*. To this effect, you have proven yourself to be more diligent than the lawyers of the accused. In addition, to justify your release order, your requisition demanded the correction of “omissions and errors” that were committed in the treatment of the **La Scierie** massacre case, which is pending in the appeals court - this is irrefutable proof that in today’s society, the sheep are being watched by the wolves.

Regarding RNDDH’s position on the **La Scierie** case, which you deemed worthy of critique, we did not wish to be controversial with any state authority; however, RNDDH believes that the Haitian people have a right to the truth on what actually happened in **La Scierie**, and that the victims of the massacre merit justice and reparations.

Along with the state officials and other government actors who met for the Conference of the Americas in the “Déclaration de Nuevo León,” RNDDH agrees that: “*Corruption and impunity weakens public and private institutions; diminishes social values; brings conflict to the state of law; and introduces distortions in the economic resources and repartitions destined for development*”.

RNDDH hopes that you will receive its most patriotic greetings.

Pierre ESPERANCE
Executive Director