



COUNCIL OF THE DISTRICT OF COLUMBIA  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

Phil Mendelson  
Councilmember At-Large

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September 10, 2009

Channing D. Phillips  
Acting United States Attorney  
555 Fourth Street, NW  
Washington, DC 20530

RE: *United States v. Hannah*

Dear Mr. Phillips:

I am alarmed to have learned that your office (USAO) is proposing a plea bargain in the prosecution of Robert Hannah for the September 10, 2008 murder of Tony Hunter near 8<sup>th</sup> and N Streets, NW.

As you know, I have expressed concern previously about the decision of the USAO to prosecute the charge of misdemeanor assault for this incident. I share the view of others that the victim did not provoke his demise. However, in our July 24<sup>th</sup> conversation you stressed that the evidence will support the charge once the facts are known. Further, in your July 22<sup>nd</sup> e-mail to the co-chairs of GLOV (which you shared following our conversation), you expressed the expectation that "once the evidence is presented at trial, the community will have a better and more complete understanding of the case, and how the grand jury reached its decision."

Although your office has a version of events based on the evidence, the better version is the one that results from the adversarial process of a trial, whereby the evidence is tested. Proceeding with a trial renders a more complete and accurate version of what happened.

There is outrage in the GLBT community that the perpetrator is not facing prison. However, my greater concern is that the full story of this tragedy will never be known. It is preferable that the USAO go to trial with its attendant risks. Only in that way can the community know the strength – or weakness – of the evidence. Here the greater good comes from the public airing of a trial, rather than the certainty of a sentence – a minor sentence.

Please reconsider the plea offer and proceed to trial with Mr. Hannah on behalf of the people.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Mendelson", with a long horizontal flourish extending to the right.

Phil Mendelson, Chairman  
Committee on Public Safety and the Judiciary