



**DAVID W. PRATER**  
DISTRICT ATTORNEY

**JIMMY R. HARMON**  
FIRST ASSISTANT DISTRICT ATTORNEY

March 8, 2019

Re: Commutation Application of Tondalo Rochelle Hall  
DOC# 542749

Honorable Members of the Pardon and Parole Board:

Please accept this letter as my request for you to grant Ms. Hall a commutation hearing. I join her counsel in this request; though I disagree with and object to the characterization of the proceedings that led to Ms. Hall's incarceration and the unfair, dishonest and completely inaccurate allegations made against the Prosecutor and Judge in Ms. Hall's case, made by those who advocate for Ms. Hall. To understand the posture of the case, it is important to note the facts of the case.

On October 16, 2006, Ms. Hall entered a plea of guilty to four counts of permitting child abuse in Oklahoma County Case # CF-2004-6403, before the Honorable Ray C. Elliott. The plea was entered without an agreement as to sentencing; in what is customarily called a "Blind Plea." Before Ms. Hall was sentenced, she was called as a witness against her co-defendant, Robert Braxton, in his jury trial on December 7, 2006. Judge Elliott presided over the trial. When called to testify, Ms. Hall's trial testimony was inconsistent with previous statements made to law enforcement regarding Mr. Braxton's involvement in the injury of her children as they lived together. After Ms. Hall testified, the prosecutor determined that she risked acquittal if she proceeded with the trial and allowed the jury to base their decision primarily on Ms. Hall's evidence. If Mr. Braxton was acquitted, he potentially would have been granted custody of the children. The Prosecutor was forced to negotiate a plea with Ms. Hall's co-defendant for a sentence much lower than the injuries to the children justified.

Ms. Hall was sentenced by Judge Elliott pursuant to Ms. Hall's plea of guilty on December 20, 2006. Noting Ms. Hall's lack of candor during her testimony and her admitted culpability in the injuries suffered by her children, Judge Elliott sentenced Ms. Hall to a total of 30 years in the custody of the Oklahoma Department of Corrections. In the years since, Ms. Hall has filed a motion to withdraw her plea of guilty and multiple direct appeals and appeals pursuant to the Post Conviction Relief Act. All appeals have been denied and the propositions raised by Ms. Hall have been rejected. To date, Ms. Hall has been incarcerated over 12 years.

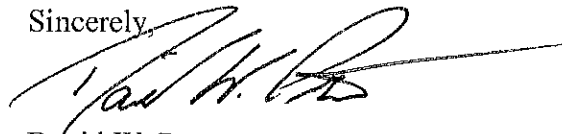
Those who call themselves advocates have consistently cited Ms. Hall's case in an attempt to illustrate corruption, abuse of power and bias against women, specifically Black women, by those in the criminal justice system. Their recitations of the supposed facts in the case are grossly exaggerated, hyped, misstated and lied about. These "advocates" use Ms. Hall's case to advance their agendas without any regard for the truth or the damage they have exacted on the character of Prosecutors, Judges and our criminal justice system. I doubt if many of those people even have bothered to know Ms. Hall. They have used her as their poster child of a broken criminal justice system without her permission.

I believe it most important to consider Ms. Hall's own words to explain how and why she received the sentence she did from Judge Elliott. Her honest, reflective words contained in a letter of apology sent to Judge Elliott, cut through the dishonest narrative that has swirled around this case in the last several years. In a letter received by Judge Elliott on March 17, 2009, Ms. Hall wrote: "I need to apologize for my actions and for my attitude. I have had time to sit back and understand that it is better to tell the truth than to tell a lie. Lying led me to prison. I do take full responsibility that I should have paid more attention to my children and when I did see something happen, I should have separated my children and myself from the abuser." I believe that really says what needs to be said about this case.

From my review of Ms. Hall's records of her time in the Department of Corrections, she has taken the opportunity to obtain an education and learn skills that will assist her in succeeding when released. By anyone's measure, twelve years is a long time to be incarcerated. Ms. Hall is very likely not even the same person who walked into prison so long ago. Her children are grown and desire to have a relationship with their mother. I believe that is important for their future as well as Ms. Hall's. If you determine that commutation is justified in this matter, I would strongly suggest you require Ms. Hall to reintegrate into her community through an intensive program, specifically designed for women with children who have suffered abuse at the hands of an intimate partner. Programs like ReMerge in Oklahoma County are very successful. I would welcome her into the program if released.

Thank you for your consideration.

Sincerely,

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

David W. Prater  
Oklahoma County District Attorney