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July 17, 2020

VIA Priority Mail & E-mail

Honorable Mark R. Herring, Esq.

Office of the Attorney General

202 North Ninth Street

Richmond, Virginia 23219

E-mail: service@oag.state.va.us | Contact@Virginia.gov

Re: Israel Monte Jackson Homicide Investigation

Dear Honorable Mark R. Herring:

We respectfully write to request that your office investigate the death of Israel Monte Jackson (hereinafter “Israel” and/or “Decedent”). I have been retained to represent Decedent’s biological family, including the appointed estate representative (hereinafter the “Family”).¹ On April 26, 2020, Israel was found dead tied to a tree in Roanoke, Virginia. The Roanoke City Police Department (hereinafter the “RCPD”) immediately ruled it a suicide, but the Family respectfully believes that the RCPD’s investigation was woefully deficient based on the reasons stated in this letter. We respectfully ask you, Attorney General, to assist us in the process of seeking truth and justice in this matter. George Washington once wrote to then recently appointed Attorney General of United States (and former Attorney General of Virginia) Edmund J. Randolph that the “due administration of justice is the firmest pillar of good government.” To that end, the Family and I now come to your office to ensure that this pillar still stands for the community.

The following section shall provide your office with background information related to the events leading to Israel’s death. Section II shall identify the RCPD’s deficiencies based upon our review of the relevant records and independent investigation. Finally, Section III states why your office should open and/or monitor a true and thorough investigation into Israel’s death.

¹ Attached hereto as **Exhibit A** is a true and correct copy of the Certificate/Letter of Qualification appointing LuWillow V. Jackson as Administrator of the Estate of Israel Monte Jackson. I have also retained the biological mother, Melody Jackson, and various other members of the family.

Samuel Meirowitz is licensed in NY, NJ & PA
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I. Background

Several weeks prior to Israel's death, a missing person report was filed with the RCPD (hereinafter the "Missing Person Report"). Prior to going missing, Israel had just moved back to Roanoke after living in Florida for just under two (2) years with his biological mother. Upon his return to Roanoke, Israel lived with a friend and worked two jobs at a Walmart and Chick-fil-A with the goal of eventually enlisting in the military. The Family has no reason to believe that Israel was suicidal or would take his own life. Additionally, no note nor motive for suicide was ever found.

On June 22, 2020, shortly after retaining my law firm, my office submitted a Freedom of Information Act request to the RCPD (attached hereto as **Exhibit B**). After several weeks of back and forth, the RCPD finally agreed to release the documents related to the investigation on July 10, 2020. On July 13, 2020, my office received these documents. (attached hereto as **Exhibit C & D** are the incident reports. Photographs of the crime scene shall be available upon request). The Family and I have reviewed the documents and conducted our own independent investigation with the help of a local public advocate, which demonstrates numerous deficiencies in the RCPD's investigation. The following section shall highlight those deficiencies.

II. RCPD's Deficient Response

Our review of the documents received, and independent investigation demonstrates numerous deficiencies in the RCPD's investigation. The following represent some, but not all, of those deficiencies:

1. The RCPD Failed to Take the Missing Person Report Seriously

After receiving the Missing Person Report, the RCPD did not actively search for Israel. Instead of proactively looking for him, all the RCPD did was follow up with the very family members and friends that reported him missing in the first place. For example, the RCPD did not even interview nor call any of Israel's workplaces. Additionally, we note that the RCPD's Facebook page has several missing persons listed over the past year for the public to "Be on the Look Out," but it failed to ever list Israel.

2. The RCPD Failed to Question Any Parties After Finding Israel Dead

Israel's body was reported by an individual and found in the back of private property on a Sunday afternoon. **Exhibit D** at p. 4. Neither the individual who found Israel nor the owners of the private property where he was found were ever questioned by the RCPD. We note that the Family does not intend to implicate anyone by pointing out this deficiency; however, we find it blatantly negligent for a body to be found on private property and the owner of that property to not even be questioned. In fact, unlike the RCPD, the Family did question the owners of the property who were

very cooperative and indicated that the body was not seen there Friday, April 24, 2020, before the business closed for the weekend. This information directly contradicts the timeline stated in the incident reports.

3. The RCPD Failed to Question the Businesses in the Surrounding Area

There are several businesses near where Israel's body was found, including, without limitation, a CVS, Subways, and gas station. The Family along with its public advocate asked each and every one of these stores for information relating to Israel. We note that each store was never approached by the RCPD.

4. The RCPD Assumed Suicide Rather Than Investigate and Let the Facts Determine the Method of Death

The RCPD's investigation was merely an appeal to the consequences—*argumentum ad consequentiam*. In other words, the RCPD concluded that Israel's death was a suicide because the consequences of that being true were more desirable than actually investigating the matter thoroughly. This logical fallacy lies in the fact that the desirability of a consequence is not related to the truth. In this matter, from the moment Israel's body was found, the RCPD assumed it was suicide with little to no investigation. For example, the Medical Examiner was told that it did not need to come out to examine the body since the RCPD had preemptively determined that it was a suicide. Obviously, an examination of the body at the scene would have been preferred to determine the method of death. Curiously, a review of the pictures from the scene and body camera footage shows that Israel was not even found hanging from a tree. Instead, Israel was found lying upright with his back pressed up against a dirt mound. He was found with a black shirt wrapped around his neck and tied to a low hanging vine. It is unclear how he could have committed suicide from such a low hanging vine that could not even support his weight. The Medical Examiner's report is attached hereto as **Exhibit E**. It is unclear from the report if the Medical Examiner ever reviewed pictures from the crime scene or ever examined the ligature marks in detail.² Analysis of the ligature marks are important to determine the method of death and it is unclear from what was provided to us if this analysis ever took place.

Lastly, as the Family has only recently found out, the Medical Examiner never even conducted a full autopsy or toxicology test. This is particularly disturbing since on April 27, 2020, the family requested that both tests be performed and the RCPD told them that these tests would be completed.³

² The only note in the Medical Examiner's report is that there was an abrasion mark on the left side of the neck. **Exhibit E**.

³ Please note that the Family has since went back to the Medical Examiner's office and requested that a toxicology exam be conducted and we are waiting for the results; however, it is too late for a full autopsy since the body was cremated.

5. The RCPD failed to Properly Secure and Check All Personal Property Found on Israel at the Time of Death

The RCPD failed to secure and check personal property once the body was found. First, Israel's adoptive parents⁴ indicated that they had received a cellphone from the funeral home which was taken from Israel's person when his body was transported. **Exhibit D** at p. 10. Specifically, the report states: "[The adoptive parents] advised that they were given a cell phone [from the funeral home] but that it did not have a sim card and would not power on. It smell [sic] so strongly of decomposition that it smelled up the storage building so they eventually just threw it away." *Id.* It is incomprehensible that the RCPD did not even do an adequate inventory of personal property found on the body. If the RCPD missed the cellphone, it begs the question: what else did they fail to properly secure?

Second, according to the incident report, a black and orange switch-knife was found approximately one meter away from the body. This same knife can be seen on the body camera footage provided by the RCPD. Rather than securing the knife and immediately placing it in a plastic bag, the officer can be seen opening and closing the knife several times and rubbing his hand against the blade and dislodging debris on the knife. While we want to make clear that we do not allege any nefarious action by the RCPD, this is not proper protocol for the handling of evidence. It is also unclear, from the report, if the area was adequately scanned for additional evidence and what, if anything, was taken as evidence.

The aforementioned represents some, but not all, of the RCPD's deficiencies. The Family and I welcome the opportunity to discuss other deficiencies further with your office. But it is a sad state of affairs when the Family with its limited resources conducts a more thorough investigation than the RCPD.

III. The Attorney General's Office Should Open and Monitor the Investigation into Israel's Death

We respectfully request that the Attorney General reopen the investigation and/or monitor a true and thorough investigation into Israel's death. While the Federal Bureau of Investigation ("FBI") declined to investigate, we note that the FBI's jurisdiction is limited, and it does not have the full jurisdiction that the State has in investigating murder. Moreover, the FBI made its decision based on the same deficient initial investigation supplied by the RCPD.

The truth is cold and painful to even write, but if we are to achieve justice, we must confront these painful realities. Attorney General, if Israel were your son, the RCPD would have moved *heaven and earth to find him and investigate his death*. We write you not only in your

⁴ At approximately age sixteen (16), Israel was adopted. When Israel turned eighteen (18), he moved to Florida to live with his biological mother and became estranged from his adoptive parents.



capacity as Attorney General of this great Commonwealth, but in your own personal capacity as well. Thus, we ask you this simple question as a father yourself: If this were your son, would you have been content with the investigation?

Israel could have been your son or anybody's son, brother, or friend in the community. We respectfully believe that if Israel were a young-white adult from an affluent family, his disappearance and death would have been treated much differently. Therefore, we are left to believe that there are two justice systems when all we ask is for one that is fair and just to all regardless of socio-economic background. We are reminded that Dr. Martin Luther King Jr. once wrote from a Birmingham jail that "[i]njustice anywhere is a threat to justice everywhere." The failure to fully investigate Israel's death is a threat to the very notion of justice itself and the public confidence that a loss of life will be fully investigated.

Based on the foregoing, we respectfully request that your office reopen and/or monitor the investigation or otherwise ensure that all appropriate actions be done to ensure that a thorough and complete investigation takes place. We will be content wherever the investigation may lead, but the important thing is that a real investigation into his death actually take place. An investigation that the Family and community can respect. The Family and I remain open to having a dialog with your office. We note that we have additional information that may be relevant to the investigation, but which we do not wish to make public at this moment. Lastly, we note that we copy other members of Virginia's government and community to this letter in order to obtain cooperation and assistance in our search for the truth.

Please do hesitate to contact me should you have any questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kush Shukla', written in a cursive style.

Kush Shukla, Esq.

cc:

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