

CLEMENCY CAMPAIGN OF MAX ALEXANDER SOFFAR
an innocent man dying of cancer on Texas's death row

<p><i>In sum, applicant's confession does not inspire confidence in its accuracy; it appears to be a tale told by one who heard about the robbery-murders rather than by one who committed them.</i></p> <p>Judge Cathy Cochran, Texas Court of Criminal Appeals</p>	<p><i>He has terminal liver cancer that has spread, in the form of an inoperable tumor, to his right portal vein. There appears to be no medical question of whether Mr. Soffar will die from this condition, only a question of how long he has to live.</i></p> <p>Abby Siegel, M.D., Columbia University Medical Center</p>	<p><i>I am glad I will not be standing in [my fellow judge's] shoes, if and when Soffar is executed solely because of the third statement he signed in this case.</i></p> <p>Judge Harold DeMoss, United States Court of Appeals for the Fifth Circuit</p>
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Why clemency?: Max Soffar is dying of cancer on Texas's death row, where he has resided for most of the last 34 years. He was convicted and sentenced to death for an infamous robbery-murder at a Houston bowling-alley in 1980. **But he is completely innocent.** Because there is no chance for Max's appeals to be completed before he dies, we are asking Governor Perry to show mercy and exercise his power to grant Max clemency. All we are asking for is that this innocent man be allowed to die at home, in the arms of his loving wife Anita, and with the support of his friends and family.

Why was Max convicted if he is innocent?: Only because of a false confession the police typewrote, and Max signed after three days of interrogations. Max was particularly susceptible to the police officers' improper and unlawful interrogation tactics. He was a twenty-four year old, wannabe police-informant, known by police as a dropout with the mentality of an eleven year old, and a "fried" brain. Max's brain was damaged since birth and that damage was made worse by years of physical and mental abuse by adoptive parents and staff at mental institutions. In addition, Max had a long history of self-medicating drug abuse, which started at the age of four when he was found passed out by his parent's car, gas cap in hand. The police took advantage of this mentally-deficient youth in a three-day marathon of unrecorded interrogations—marked

by coaching, pressure, and lies—which culminated in a series of typewritten statements the police convinced Max to sign.

These improperly obtained, clearly false confessions are the *only* evidence the state has against Max. No DNA, fingerprints, identification, forensic or other reliable evidence connects Max to the crime. And as Judge Cochran has found, Max’s statements are “inconsistent with, the crime-scene evidence, the forensic evidence, and the statements or testimony of the sole surviving victim.”

If Max did not commit the crime, who did?: Max’s attorneys have amassed a mountain of evidence that Paul Reid, who died in 2013 on Tennessee’s death row, committed the crimes. He was living and committing robberies in Houston at the time of this crime, was not home with his wife the night it occurred, was involved in a dispute a week earlier with bowling-alley employees in which he threatened to blow their heads off, resembles the police composite of the culprit, made statements about the crime to a fellow robber, and committed a series of similar crimes in Tennessee for which he was thankfully caught. Due to errors in the trial—errors that the federal courts have not yet corrected—no jury has ever heard this evidence.



Reid in July 1980
wedding photo



Police composite of
assailant

What can I do?: This is an internal document (not for distribution) asking particular religious, law-enforcement, and political leaders to support Max’s clemency campaign through open letters to the Texas Board of Pardons and Paroles, Clemency Section, 8610 Shoal Creek Boulevard, Austin, Texas 78757, and, depending on need, possibly to speak in the media about this case. We may also ask you to forward on this request to other leaders you may know. Let us know if you need further information before engaging in this campaign.

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