

How was the David Wong Support Committee formed?

After David's conviction, Tse Kin Cheong contacted Chinatown NYC community organizations to seek help for David. In response, Shelly Wong at Asian Americans for Equality acted as a liaison in his case. In 1992, Asian American students and activists formed the David Wong Support Committee in NYC, spearheaded by Yuri and the late Bill Kochiyama. Since 2000, a Northern California DWSC and Minnesota DWSC have been formed.

What are David's lawyers working on?

They filed a 440 motion with New York State's Supreme Court on 8/22/02. This motion presents irrefutable newly discovered evidence of David's innocence. The legal team also argues that the DA's use of perjured testimony was a violation of due process. They also contend that David's rights were violated by the sergeant who concealed Mr. Dellfava's initial statement, identifying a different perpetrator.

David has two other motions pending in court. A federal habeas corpus petition was filed in April 2000, based on the court's failure to appoint a qualified interpreter. The other 440 motion is pending in New York State's Appellate Division. This motion is based on two main issues: the DA's illegal withholding of key evidence and the trial attorney's failure to investigate the murder.

What will happen if the conviction is overturned?

Because David has fully served his sentence for robbery, he will be released from New York State custody. However, INS officials would likely try to execute their order to deport David because he is undocumented. He would then be forced to return to Hong Kong.

How can you help?

Join the DWSC and actively participate in spreading the word about David's struggle for freedom.

To send donations or to request more information, please contact the support committee at:

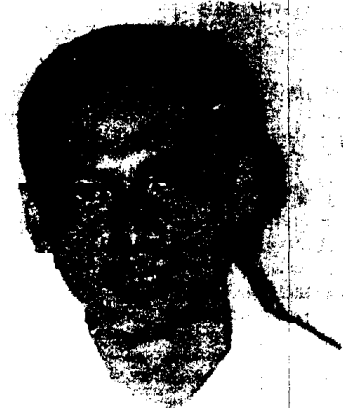
David Wong Support Committee
PO Box 525236
Flushing, NY 11352
dwsc@attglobal.net
freedavidwong@yahoo.com
No. Cal. David Wong Support
Committee
c/o 154 Tenth Street, Suite 10
San Francisco, CA 94103
dwsc@onebox.com
voicemail 510.496.2740 x7451

Minnesota David Wong Support
Committee
c/o 600 Hoyt Avenue East #304
St. Paul, MN 55101

We also encourage you to write to David and show your support:

David Wong #84A5320
Shawangunk Correctional Facility
PO Box 700
Wallkill, NY 12589

FREE DAVID WONG!



The David Wong Support Committee (DWSC) was formed to fight for the freedom of David Wong, a Chinese immigrant who was unjustly convicted of a murder he did not commit. David's case exposes the systemic barriers of the criminal (in)justice system - that anti-immigrant sentiment, racism, and poverty impede justice. The DWSC aims to galvanize diverse communities in a collective effort to achieve justice.

Who is David Wong?

David is one of three children raised by their mother in Fujian Province and later Hong Kong. He came to the U.S. in the early 1980s as a teenager.

In June 1984, David was imprisoned in Suffolk County, NY for robbery, his first arrest, and later transferred to Clinton prison in Dannemora, NY.

On March 12, 1986, an African-American inmate named Tyrone Julius was stabbed to death in Clinton prison. Although they had nothing to do with the stabbing, David and Tse Kin Cheong, the only Chinese prisoners in Clinton, were apprehended for questioning. Prison police, and court officials framed David Wong for the murder and sentenced him to 25 years to life in August 1987.

Despite official efforts to silence him, David has fought this injustice relentlessly. He has studied to improve his knowledge of the law and English language, and worked to educate people about systemic injustice. He also has supported the struggles of U.S. political prisoners such as Mumia Abu Jamal.

How do you know David is innocent?

The evidence is overwhelming. 21 witnesses have sworn that David is innocent, including one former prisoner who told our investigator that one prison guard told other guards: "Let's give the body to the chink."

The state's evidence against David consists of two alleged eyewitnesses: Richard LaPierre and Peter Dellfava. Richard LaPierre is a prison guard who claims to have witnessed the murder from over 400 feet away. The second witness, Peter Dellfava, testified that he saw David attack Tyrone Julius from just a few feet away.

Recently, Mr. Dellfava confessed to private investigator Joe Barry that he lied at David's trial. Mr. Dellfava now wants to rectify his mistake by testifying about what really happened. Here is an excerpt from his affidavit:

"I did not see David Wong the day of the murder. The first time I ever saw David Wong in person was in court. That was also the last time I saw him. After the killing they filed us all out. I went to my cell, then ate dinner. Not too long after that, pretty early in the evening, a correctional officer cracked open my door. The correctional officer told me that a sergeant wanted to see me. I went to a room where the sergeant was waiting on me.

I was friendly with the sergeant. I had a job in the kitchen area where I would cook for the correctional officers and I got friendly with him there. The conversation went as follows:

The sergeant asked me if I had seen what was going on. I told him yeah, I did. He asked me what I saw. I told him I saw a black guy go up and stab the other guy. I was just going with the odds when I said that. I figured the majority of prisoners are black, so let me go that way.

"It was an oriental guy, wasn't it?" the sergeant asked me. I'll never forget that. "If you already know who it is, then why are you asking me?" I said to him.

I told him that if I testified I wanted a transfer to somewhere close to home, and a recommendation for the parole board. After the sergeant walked me through the story, he had a state police officer come in and take a statement from me. I just stuck to the story that the sergeant and I discussed.

I need to do the right thing. . . I'm giving this statement because David Wong is doing some time right now that he doesn't deserve. I'm hurting him. I've hurt him for a long time and that's not right."

Peter Dellfava was rewarded for his false testimony with a transfer to a safer prison closer to home, a letter written by the prosecutor who recommended him for parole, and several hundred dollars.

Who killed Tyrone Julius?

Joe Barry's investigative work proves that the late Nelson Gutierrez stabbed Tyrone Julius. Six witnesses, including close friends of Gutierrez, have now identified him as the stabber. In 1991, Gutierrez met Santo Valdez Cuello, who will testify that Gutierrez admitted to him why and how he stabbed Julius. The motive for the killing was revenge for a beating from Tyrone Julius and others on New York City's Riker's Island Jail. This beating left Gutierrez in a hospital for a year with a badly injured leg and a permanent limp. Records confirm that Gutierrez was in Bellevue Hospital after being in the city jail system with Tyrone Julius at the same time. Given the history of violence between Nelson Gutierrez and Tyrone Julius, why did New York State prison officials transfer Tyrone Julius to Clinton prison while Gutierrez and his brother were there?

Why does the DWSC believe David was unjustly targeted for Mr. Julius' murder?

Prison officials needed a scapegoat to blame for Mr. Julius' murder. David was an obvious target because there were so few Asians in the prison and in Clinton County. Also, he was poor and an undocumented immigrant who spoke little English, and had no family in the U.S.

David's rights appeared easy to violate at his trial. He could not afford competent lawyers or interpreters. The interpreter provided by the court had no prior experience as a court interpreter and did not speak the Fukien/Fujian dialect that David speaks.

The prosecutor, Andrew Ryan, Jr. (now deceased), covered up key evidence, including an eyewitness statement by Onilio Serrano that named Nelson Gutierrez as the perpetrator. Still today, the Clinton County DA Richard Cantwell and New York State Police officials continue the coverup by refusing to disclose at least 16 pages from the original Bureau of Criminal Investigations report. This ongoing coverup violates David's human rights, the New York State and U.S. Constitutions, and the Freedom of Information Law.