



Dear Friends:

When Kemba Smith enrolled in Hampton University, she had achieved her dream of going to an historically black college. But within three years, her college days were cut short by a physically abusive relationship with a drug dealer; she was pregnant; and her boyfriend was on the FBI's 15 most wanted list. Though she had no prior criminal record, in 1994 she was prodded to plead guilty to conspiracy to distribute crack cocaine for her boyfriend's drug activities.

Kemba's crime: to fall prey to an abusive relationship and to a criminal justice system that treats first time non-violent, low-level offenders as drug kingpins under mandatory minimum sentencing guidelines. Kemba's punishment: 24- years in prison without the possibility of parole.

The shocking part of Kemba Smith's story is that even her family's middle class status and resources did not shield her from the race and gender biases in the criminal justice system. The sad part of the story, is that too many Kemba Smiths now languish in prisons, serving sentences for punishments that do not fit their crimes. Kemba reflects the new and disturbing face of the American prison population: young, female, and Black. \*Over a five-year period, the incarceration rate of Black women increased by 828 percent — the fastest rate of increase of any group.

Current federal sentencing laws significantly limit the judge's discretion in sentencing and require the judge to ignore factors that often call for a lesser sentence. During the past decade, a number of judges have resigned in protest over having to impose harsh sentences that were clearly excessive and unjust.

One of the most unfair aspects of federal sentencing policy is the racial disparity driven by the sentencing differentials between crack and powder cocaine. Crack cocaine offenses are penalized 100 times more severely. Thus a person convicted of possessing 5 grams of crack cocaine faces a mandatory minimum sentence of 5 years imprisonment, while a person would have to possess 500 grams of powder cocaine to face that same mandatory 5 years.

It is largely African Americans who are imprisoned for lengthy mandatory sentences both because crack offenses are punished more harshly, and because African Americans are more likely to be arrested and prosecuted for crack offenses. Although more than half of the users of crack cocaine are whites, 80 percent of the women, and nearly 90 percent of the men convicted of crack cocaine in 1994 were African American.

*\*According to the Sentencing Project*



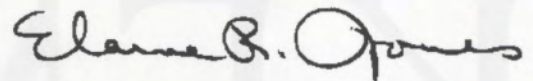
LDF is representing Kemba in her efforts to overturn her convictions and draconian sentence. During trial court proceedings, the judge mistakenly treated her as a kingpin, and failed to adequately consider the fact that throughout her involvement with her boyfriend, she was a battered woman who legitimately feared for her life as well as for her parents' lives if she did not comply with his every wish. Sadly, Kemba's story is not unique. In 1991, 43 percent of women in state prisons, greater than one out of every three women, had been victims of physical or sexual abuse in their past. A survey of one prison revealed that 80 percent of the women inmates there were incarcerated as a result of their affiliation with abusive males.

Kemba's story provides a window into understanding how the impact of sentencing policies are placing a generation of young first-time offenders behind bars to serve lengthy and even life sentences. Non-violent offenders, who have historically been given short sentences and often assistance with job training and educational opportunities, are now being locked up for years. Sentencing policies are waging a war on our communities, especially our youth who are being robbed of their futures.

The theft of a generation can be stopped only if we call for legal reform and other steps to halt the ever expanding incorporation of first-time non-violent youthful offenders into the criminal justice system. True criminal justice reform must, of course, be supplemented by investments in education, training, job creation, and job treatment. Aside from the moral dimensions of the problem, consider the economics of warehousing young people in prison: about \$23,000 a year per inmate — far more than tuition at a state college. Consider too, the social implications: families torn apart, children raised without parents, and young adults, once with a glimmer of a chance in life, left with only pieces of their shattered dreams.

Now 26 years old, Kemba's dream is to go home to see her three year old son attend kindergarten. Together, we can make her dream a reality.

LDF invites you to read Kemba's story. We are convinced that the injustice you discover will spur you to support our efforts on behalf of Kemba Smith, and the numerous other young people who are condemned to a similar fate.



Elain Jones  
President/Director Council  
Legal Defense Fund





100 YEARS AFTER "SEPARATE BUT EQUAL"

BLACK AMERICA'S NEWSMAGAZINE

# emerge

**SPECIAL REPORT**

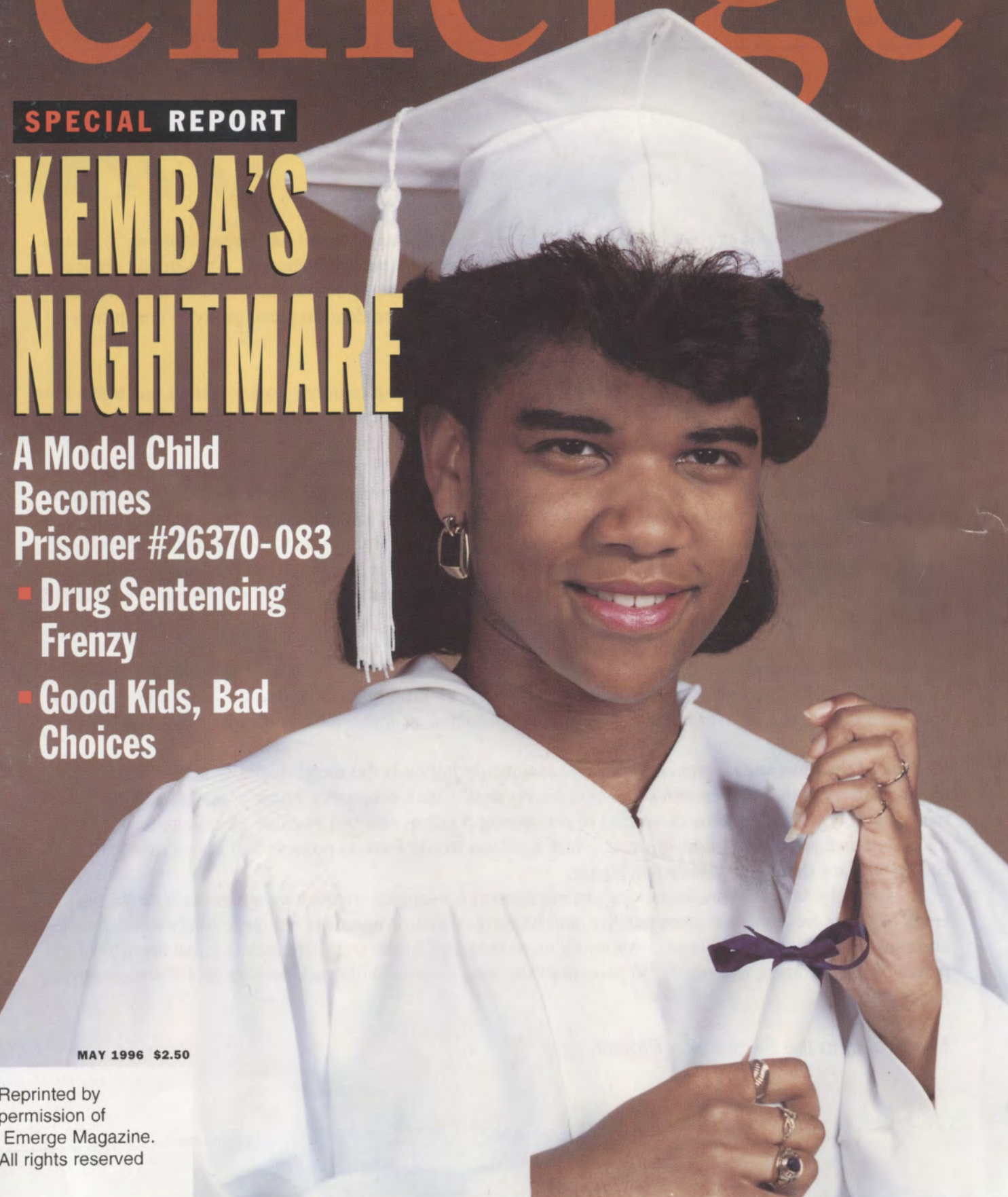
## KEMBA'S NIGHTMARE

**A Model Child  
Becomes  
Prisoner #26370-083**

- **Drug Sentencing  
Frenzy**
- **Good Kids, Bad  
Choices**

MAY 1996 \$2.50

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KEMBA SMITH FACES 24 YEARS IN A FEDERAL PRISON.  
IS SHE A VICTIM OF GET-TOUGH MANDATORY SEN-  
TENCING LAWS, HER OWN BAD JUDGMENT OR BOTH?

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IT IS 6:30 A.M., AND KEMBA NAIMBI SMITH is preparing for another day in her new life, one that could go down in history books. An attractive, petite and shy 24-year-old, Kemba has received one of the nation's longest prison sentences for being a two-bit player in a drug ring: one year in prison for each of the 24 years she has lived. No chance for parole.

That amounts to tough justice, particularly for a first-time, nonviolent offender, one who even prosecutors say never handled or used the cocaine she was convicted of trafficking and one who received little benefit from its sale. Tough, tough justice, particularly when one hears of the beatings she received from the man she admired, loved and obeyed, the real player in the cocaine trafficking group. It's tough, but is it justice?

Kemba is now inmate #26370-083 and, like a growing number of intelligent, middle-class, African-American women and men, is paying hard time for being young, naive and running with the wrong crowd — cocaine dealers — when the “drug war” is big politics and the judicial system is on automatic pilot. Under legislative orders

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# KEMBA'S NIGHTMARE

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B Y R E G I N A L D S T U A R T







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## KEMBA IS PART OF THE FASTEST-GROWING GROUP IN THE U.S. PRISON SYSTEM – AFRICAN-AMERICAN WOMEN.

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called mandatory minimums, judges are locking up the drug crowd for a long time, regardless of the role any one individual plays.

Kemba is part of the fastest-growing population in the U.S. prison system — the rate of criminal justice supervision for African-American women rose by 78 percent from 1989 to 1994. The number of African-American women in state prisons on drug-related charges has soared 828 percent from 1986 to 1991, according to the October 1995 report by The Sentencing Project, “Young Black Americans and the Criminal Justice System: Five Years Later.”

Barring some dramatic act of mercy by the Justice Department or some miraculous change of heart by a law-and-order Congress and president, Kemba may not see freedom until at least 2016. That's five presidential elections from now, 10 congressional contests from now, 20 homecoming games from now, 20 college graduations from now. Her high school dream of becoming a business executive is but a fading memory.

It took less than three years for Kemba's life in the Tidewater area of Southeastern Virginia to change. She went from outgoing high school student in suburban Richmond, Va., to main “mule” (carrying money and weapons) for a drug dealer preying on students at Hampton University, a historically Black institution in Virginia, to near-lifetime resident of the federal prison system. How she got there is a story of tough love, too much love and no love at all.

“Even today it gives me headaches,” says Kemba from the Federal Corrections Institution for Women in Danbury, Conn. She is dressed in her standard issue Army brown pants and mint green shirt. She is soft-spoken and shy, and only occasionally flashes a smile that spreads across her face. Still coming to grips with what has happened, Kemba is dismayed at her past actions. “It's unbelievable. I was part of it. Right in the middle. And all along, I'm thinking, ‘I'm not doing anything wrong or wrong enough to go to jail.’”

### ~ MOM AND DAD

**K**EMBA WASN'T BORN WEALTHY. But she defies the stereotype of most women imprisoned on drug charges. She was born into a solidly middle-class family. She wasn't an addict who sold drugs or committed other crimes to feed her habit. Her background was not that of a poor, inner-city youngster surrounded by the drug culture and with few life choices. She was reared in a comfortable home in the suburbs by parents who are professionals and who nurtured and loved her, gave her guidance and rules to follow. Kemba seemed to have had all the middle-class advantages that are associated with rearing a happy, successful child. Apparently, they weren't enough.

Her parents, William and Odessa Smith, native Virginians, were college sweethearts who were reared by loving parents with values rooted in the Baptist church. The law-abiding couple has worked hard and steady since their days at the Norfolk



*Odessa and Gus Smith gave Kemba a comfortable home.*

Division of Virginia State College, now Norfolk State University.

Gus, as Kemba's father is called, is 50 and the son of Augustus Smith and the Wilhelmina Dinkins Smith. His late father was the loyal valet to a vice president of the old Seaboard System Railroad Co., and his mother was a homemaker who reared Gus and his sister. He was in Cub Scouts and Boy Scouts. In high school, Gus played trumpet in the school band and sang in the church choir. He studied accounting at college and served three years in the U.S. Army, including a tour of duty in Korea.

Since his discharge from the army in 1971, Gus has worked for volunteer agencies, the last 21 years for the Capital Area Agency on Aging in Richmond, where he is chief financial officer. In addition, he runs his own accounting and tax firm with about 150 clients.

Odessa recalls fondly what she liked about Gus, a cool “Temptations man” of the 1960s, and why she married him almost immediately after college graduation.

“He had a special gentleness about him,” recalls Odessa, a petite woman with an inviting smile and soft voice. “He was handsome, very debonair, genuine. I was young and I was in love, and I just believed everything he said. I ate it up.”

Gus recalls just as fondly his first impressions of Odessa. It was the fall of 1963, their freshman year in college: “She was poised, attractive, intelligent. Things jelled. We were compatible. We were in love.”

Odessa, who turns 51 this spring, was one of nine children born to Flossie and Eugene Adams of Danville, Va. She was her parents' first daughter after six sons. Her dad, a truck driver



# "IF PARENTS WERE SKEPTICAL ABOUT THEIR CHILD GOING TO A PARTY, THEY WOULD SEE IF KEMBA WAS GOING.... WE WOULD ALWAYS GO CHECK THINGS OUT."

turned tobacco farmer who died last year at age 91, was about as serious as they come. "If hard work had anything to do with the quality of life, he had a good one," Odessa says.

When Odessa reached the first grade, her family moved from Danville to the rural part of the area. She remembers riding the bus every day, passing White public schools from which Blacks were barred, to the Black high school in Blairs, Va. There she studied hard, was in the drama club and Future Homemakers of America, was student council president and worked on the farm with her dad and brothers.

Dad kept Odessa on a short leash.

"He was just strict," she recalls. "I never really dated in high school. Even for the high school prom, I went, but my brother, David, had to ride in the car." And when the Student Government Association had an out-of-town trip, she recalls her dad really being unhappy about the prospect of his daughter being away from home overnight with strangers.

At Norfolk State, 194 miles from Danville, Odessa pursued a degree in business education. She pledged Alpha Kappa Alpha (AKA) Sorority, Inc. and served as the chapter's secretary; was a candidate for Miss ROTC and met Mr. Right.

College classmates called Gus and Odessa the perfect couple; they married Dec. 27, 1967. Into this union, Kemba was born Aug. 28, 1971.

## ~ THE EARLY YEARS

**A**S FATE WOULD HAVE IT, medical problems prevented Odessa, who now teaches in Richmond's public high schools, from having more children. Everything they had would go into making Kemba's life perfect. To her parents, Kemba was an angel. What they thought she wanted, she got. What they thought she didn't need, they worked hard to avoid. No neglect here.

Growing up in the suburban Richmond community of Glen Allen, Kemba got opportunities that her parents never had. She attended modern, predominantly White public schools. She played piano. She took gymnastics and ballet. She was a Brownie and a Girl Scout. She got her driver's license at age 16, the same year she was introduced as an AKA debutante.

In high school, Kemba was active in the foreign language club, Students Against Drunk Driving and, like her mother, the Future Homemakers of America. Just as her father had played trumpet in his youth, Kemba played the flute for the 250-member Marching Panthers



*Kemba as a 6-year-old first-grader.*

Kemba was going," recalls her mother. "They knew if Kemba was going, it was 'okay.' Gussie and I were always protective parents because we would always go check things out."

There wasn't much dialogue between Kemba and her parents about the whats, whys and what ifs of life. Despite all the providing and the protecting, there was a certain emptiness that she could not express and her parents did not recognize. Over the years, Kemba became more and more dependent upon her parents to think for her; she simply yielded to avoid confrontations when she differed with them.

Kemba had a curfew and standards of conduct she was expected to keep. It appeared she toed the line well. She only once got a whipping when she was in high school and that was for getting home late from school.

Kemba was a daddy's girl. On days when schools were closed, she worked at her dad's office as his assistant. "He even did her hair better than I did," laughs Odessa. When Kemba needed to confide in someone, she chose him. She had learned early that while Odessa loved her, she did not like to hear bad news. "Even now, she will talk to him and tell him things she may not tell me," Odessa concedes.

But Kemba was developing into a young adult, and by high school she finally was beginning to make some of her own choices.

"Up until high school, most of her friends were White," her mother recalls. "In high school, she began to hang with the Black kids. She still kept her White friends. But she began to learn about racial issues, the history of segregation and just started hanging with Black kids."

Like many teenagers, Kemba also began quietly exploring the opposite sex.

"My mother never really talked with me about relationships with guys," Kemba recalls. "In high school, I let guys take advantage of me. If they asked for money



*Hermitage High School band, 1986.*



and I thought they were in need, I felt the need to give them some money, especially if I thought they liked me. Not many guys would come see me because my folks were so strict. So I would sneak off to see them. And she [Odessa] never really talked with me about her experience with men. I just saw her taking care of my dad. But I don't blame them for anything."

Kemba had her first showdown with her parents over choosing which college she would attend. After going on one of the popular Southern Black college tours, Kemba decided she wanted the "Black experience," after years of largely White settings. Her first choice was Spelman College in Atlanta, with Hampton and Howard universities tied for second.

For different reasons, neither parent approved.

Gus wanted Kemba to attend Radford, a predominantly White college in Virginia. He reasoned: "It wasn't that far away, they were offering a little money, the tuition was lower than Hampton, Howard and Spelman, and when you go into the real world, it won't be all Black." Odessa believed that historically Black colleges were in better shape than when she and Gus were in college but that Atlanta simply was too far. "I did not want to send my only child that far from home her freshman year."

Spelman did not accept Kemba. But she stood her ground and won a compromise. She persuaded her parents to let her attend Hampton, 73 miles away. The summer before she moved to Hampton, three male friends, aware that she was short on street smarts, warned Kemba, "Don't get hung up with these bad guys."

"They knew I was going to Hampton. They knew it was a party school, and they knew I was naive," Kemba recalls in an interview at the Danbury facility. She thanked her friends, two of whom were already students at Hampton, for the advice.

After graduation in June 1989, Kemba attended the pre-college program, then enrolled in Hampton that fall. Her mother and father helped her move in, making her dorm room "feel like home," stocking it with a color TV and microwave oven.

Pre-college classes had given Kemba a good head start. And indeed, there was a lot more freedom. She made new friends that summer and earned a B grade-point average. By fall, however, when regular classes started, it took only a few days for her to feel she was out of her element.

"When I went to Hampton, and you're surrounded by a



*Kemba, at age 16, was an Alpha Kappa Alpha sorority debutante.*

bunch of pretty girls, for some reason I felt I really didn't deserve to go to Hampton," says Kemba, wondering aloud whether her father pulled strings to get her admitted. She was an average high school student who didn't blow the roof off the college admissions test.

Self-image suddenly became a problem.

"I had gone to predominantly White schools. In those settings, I thought I was pretty. When I went to Hampton, I didn't feel I was equal to the next pretty girl because I saw them as



"I DIDN'T FEEL I WAS EQUAL TO THE NEXT PRETTY GIRL [AT HAMPTON] BECAUSE I SAW THEM AS MORE POPULAR.... I WASN'T SURE OF MYSELF; MY SELF-ESTEEM WAS LOW."

more popular.... I wasn't sure of myself; my self-esteem was low. I would just look in the mirror and wonder why people were not as attracted to me and why I couldn't be as popular."

Kemba's look in the mirror reflected the wrong signal — that she was a loser. Lost at sea without an anchor, she became obsessed with trying to belong. It did not take long for the "bad guys" to find her.

#### ~ LIFE AT HAMPTON

MUCH OF KEMBA'S first semester was marked by partying with girlfriends at the off-campus apartments of guys (upperclassmen with whom she had gone to high school). Kemba, her roommate and two other girls usually hung together, and Kemba always saw herself as the least hip of the group. Marijuana floated fairly freely at most of the gatherings. "I smoked marijuana a lot, basically because it was around," Kemba says. "We didn't have to buy it. It was weird because nobody considered it was wrong. I didn't know I could go to jail for smoking marijuana."

By the end of the first semester, Kemba was striking out on several fronts. She failed two of her five classes. She also began lying to her parents about her whereabouts. Meanwhile, Derrick Finger, a high school classmate and close friend, accidentally killed himself that fall semester while handling a handgun during a visit to Hampton. It was Kemba's first experience with the death of a friend, and she was devastated by it. Derrick was one of the friends who had warned her about the "bad guys." Suddenly, Kemba was even more alone and more adrift.

The bad grades got Kemba's parents' attention and a warning that she would be called home if things didn't improve. Her mother was equally upset by her request for birth control pills.

"I felt I couldn't talk to my parents about certain issues," Kemba explains. "They always felt I was a little girl. They were strict, and I was scared of their response. We didn't have that much communication. We talked — 'How was school?' — but there wasn't much communication."

Kemba's father suggested that she see JoAnn M. Thomas-Wilson, a Richmond clinical psychologist. Kemba complied grudgingly.

"Kemba was in denial and wouldn't deal," observes Thomas-Wilson, who agreed to discuss the case with the family's consent. Kemba broke off the sessions after a few visits, saying everyone was blowing things out of proportion. In reality, things were already out of hand.

By the end of her freshman year, Kemba was a failing student, a regular marijuana smoker and a party girl who still perceived herself as unpopular. Though she had landed a boyfriend, Derrick Johnson, an upperclassman at Virginia Union University in Richmond, he was being trashed by her girlfriends. Derrick didn't have a car, he wasn't a flashy dresser and he frequently didn't have any money. That was just the opposite style of the fast company her girlfriends were keeping.

Kemba's sophomore year was more of the same. Derrick had become increasingly frustrated with her. He suspected she was lying. Frustrations turned into fights, followed by apologies and more fights and more apologies. His suspicions were right: Kemba had been lying. She had begun to date Peter Michael Hall, a flamboyant young man from New York whom she had seen from a distance her freshman year.

One night in the spring of her sophomore year, Derrick called Kemba, but she was with Peter. Derrick went to Hampton and waited until she returned. When she arrived, he confronted her. They argued. Later, when Derrick told Kemba's



*Kemba, kneeling far right, as a Hampton freshman, was in a tight-knit group.*

parents he was concerned that she was "messing with somebody who's not good for her," Kemba formally ended the relationship.

Kemba had met Peter at a friend's apartment in Hampton. She had seen him before at several parties. The parties usually involved the "25 Crew," a group of young men, mostly students, that Kemba's girlfriends were close to. "The house could be dead before [Peter] came in," Kemba recalls. "When he did, everybody woke up. After that first encounter, it was like he noticed me and I couldn't wait until I bumped into him again."

Peter was eight years older than Kemba. She didn't know if he was a student and it didn't matter. In a way, he was to



Kemba what Gus was to Odessa. She was swept off her feet by his presence, the way he moved in a crowd and his sexy Jamaican accent. Kemba remembers Peter as “articulate, fun, a charmer, self-confident and crazy. He would start a trend instead of following one. He was very hyper, always had to be going fast, moving. If you didn’t go fast, he would jokingly ask, ‘What’s wrong with you, American?’”

Nearly everyone in Kemba’s circle, men and women, seemed impressed with Peter, his clothes, his cars, his commanding presence. Few seemed to know that he had built a rap sheet at police stations in Newport News, Virginia Beach and Hampton. Peter, at that time, was buying cars under false names and selling drugs, according to the government’s presentencing investigation report on Kemba, prepared in December 1994. He also was on the radar screen of federal drug agents.

“This guy was just an influential person, a behind-the-scenes nemesis. He was a street demon,” says a college friend and former high school classmate of Kemba’s who knew Peter casually. He doesn’t want to use his name for fear even today of being harassed by Peter’s associates. “When his name came up, you never spoke against him. You always knew what you heard about him, different wild stories. The more stuff you heard, the deeper you went into your shell.”

Late one night in the spring of 1991, Peter called Kemba. He asked her to meet him. When she came to his car from her dorm room, he asked her about her “booty bag,” a reference to an overnight bag. Stunned, Kemba said she had no intention of staying with him and returned to her room. Minutes later, Peter called again, sweet-talked her and soon she was *en route* to his apartment, booty bag in hand. She was scared, especially when he asked her to wear a blindfold on the way to his place. She complied anyway.

If Kemba was impressed with Peter, she was even more impressed with his apartment: “better furniture, better music system, three TVs in one room, big speakers, a tri-level apartment with a garage. I guess it was just different from any guy’s I had been in before.” With “Let’s Chill” by Guy playing on Peter’s stereo, the two consummated their relationship.

Almost immediately Peter and Kemba became an item, at least in her mind. She became “the talk” of her crowd. “I had seen the other girls Peter had been involved with before,” says Kemba. “They were smart, pretty, dean’s list, and I just couldn’t believe he went out with me. I had heard he was dealing drugs, but hadn’t seen it. I didn’t question how he had all these things because it seemed like it was accepted by everybody.”

Peter never told Kemba she was his main girl, “but in the



*Kemba, center, and friends in spring 1992 at a party in Newport News, Va.*

“I HAD HEARD HE WAS DEALING  
DRUGS, BUT HADN’T SEEN IT. I DIDN’T  
QUESTION HOW HE HAD...THINGS.”

summer he showed me. That’s when he showed me I meant more [to him] than I thought.”

Kemba had gone to Philadelphia with friends for a Greek picnic. It was her first trip North as a college student. Peter, who had come to the City of Brotherly Love separately, called her one night and asked her to come to his hotel room. She thought nothing of it until she arrived. He told her that he had seen her earlier, holding hands for a moment with another man; he wanted to know what it meant. When she explained there was nothing to it, that the man was a total stranger, Peter berated her and warned her of the dangers of such encounters.

“He went off and said, ‘I’m going to show you what could have happened.’” He began hitting and choking her. “When I held my hands up to try to stop him, he told me to put them



"I DIDN'T WANT TO LET GO. [PETER] 'MADE ME,' AND I FELT HE NEEDED ME. AND HE SAID HE WOULDN'T [HIT ME] AGAIN. I WAS IN LOVE WITH HIM. WHY? I DON'T KNOW."

down or it would get worse. Some people told me he was crazy, but I thought they meant crazy fun. But nobody had hit me like that before. Finally, it stopped and he went to get some ice. I was ashamed. He made me feel like I deserved that. I was dumb. I was wrong. I believed it.

"The whole night I was shaking in the bed, crying. He was crying too, saying he wanted to teach me.... And I'm thinking in my head, 'As soon as we get back to Hampton, I'm never going to see him again.'" Peter drove Kemba back to campus the next day. She wore shades to hide her swollen eyes. He apologized and said it would never happen again. And yes, she forgave him. "I didn't want to let go," she says. "He 'made me,' and I felt he needed me. And he said he wouldn't do it again. I was in love with him. Why? I don't know."

By the end of summer, Kemba had pretty much moved in with Peter, although her official address was still her campus dorm. She began to change. She was circulating less — missing classes and time with her friends. She and Peter rarely went out because he said he didn't much like American food. So she cooked his meals, kept the apartment clean and cared for his needs.

"Peter dressed me like him. He didn't like for me to wear tight clothes or dresses like a woman. So I wore baggy jeans, tennis shoes, boots, big clothing. And that was not me. I usually dressed like my mother, more conservative." But, if it made Peter happy, it made her happy.

The relationship almost ended when Peter was arrested by Hampton police in September 1991 on state drug and fake ID charges. He was jailed for four months. His friends told Kemba he risked being deported by the U.S. Immigration and Naturalization Service. Putting the pieces together, she then realized that what she heard — that Peter was a drug dealer — was true.

"I was devastated. He was somebody I cared about. I didn't know anybody who'd been to jail before. I felt I had to help him.... He was saying he was scared to tell me about his past because he thought I would leave him. I believed him. He said he was going to change his lifestyle."

Eventually, Peter's brother, Wainsworth Marcellus "Unique" Hall, identified later by federal prosecutors and in court files as an alleged drug kingpin, brought Kemba money to give a Virginia lawyer who got Peter out of jail. (Federal authorities later stated in indictments that the money came from the illegal sale of cocaine.) She delivered it as a good 'mule' was supposed to. Peter was released on

Christmas Eve. Kemba was ecstatic and persuaded her parents to invite him for Christmas dinner.

"It went good," Kemba recalls. "Everybody was getting along. It seemed like my family liked him. I wasn't lying for once. I told my father Peter had been locked up and just got out of jail. My dad, to me, stayed positive. He and Peter went outside and talked by the lake by themselves. I guess my father wanted to make sure everything was all right."

At the lake, Peter told "Mr. Smith," as he addressed Kemba's father, that he had been jailed because he did not have a green card and that it was being straightened out. Gus recalls: "He said all the right things. I told him I was concerned, that I didn't want Kemba associating with the wrong people and he assured me that

U.S. Department of Justice  
United States Marshals Service



# WANTED

## BY U.S. MARSHALS

NAME: HALL, PETER  
ALIAS: DWANTS, Reginald; HALL, Wayne  
TUKES, Arowana; ONEAL, Khalif

Sex: ..... MALE  
Race: ..... BLACK  
Date of Birth: ..... MARCH 13, 1963  
Place of Birth: ..... JAMAICA  
Height: ..... 5'11"  
Weight: ..... 170  
Eyes: ..... BROWN  
Hair: ..... BLACK  
Skintone: ..... MEDIUM  
Scars/Tattoos: ..... UNKNOWN  
SSN: ..... 146-66-7501; 224-53-0903  
NCIC #: ..... W786243084  
NCIC FPC ..... 14 09 AA 02 05 10 08 AA TT 04 Date of Photo: 1991



WANTED FOR: DISTRIBUTION OF COCAINE, MURDER  
Warrant Issues At: EASTERN DISTRICT OF VIRGINIA  
Date of Warrant: DECEMBER 8, 1993  
Warrant Number: 9483-0124-0089-2

**CONSIDER ARMED AND DANGEROUS**

HALL IS CHARGED WITH RUNNING A CONTINUING CRIMINAL ENTERPRISE, INVOLVING A LARGE SCALE COCAINE AND MARIJUANA DISTRIBUTION NETWORK. SUBJECT IS KNOWN TO BE ARMED, AND TRAVELS IN THE COMPANY OF FEMALE ASSOCIATES WHO TRANSPORT ARMS FOR HIM.

NOTICE: Before arrest, verify warrant through the National Crime Information Center (NCIC). If arrested or whereabouts known, contact the nearest United States Marshal's Office or call the United States Marshals Service Headquarters at 1-800-336-0102 or (800) 423-0719 (TDD).

☆ U.S. G.P.O.: 1992-312-327/8/950

Form USM-132 (Rev. 9/92)

Peter Hall was placed on the U.S. marshal's most wanted list in 1994.





"HE BEAT ME REAL BAD. WITH A BELT. WITH A BRUSH. WITH HIS HANDS.... THEN HE ASKED ME TO DANCE FOR HIM."

he understood and everything was okay. He was very nice, mixed it real well, was well-dressed, articulate, everything you would want to see in a young man dating your daughter."

~ MORE LIES

**K**EMBA'S PARENTS remained a bit skeptical, but kept their gnawing doubts at bay. For Kemba it seemed like a bad dream had finally ended. There was a warm magic in the air. Something in which she had a role in defining was being accepted. She liked it. The coming year could only get better, she thought. It didn't.

Having all but officially flunked out at Hampton, Kemba transferred in the fall of 1992 to Johnson C. Smith University in Charlotte, N.C. Her parents thought it was her idea; they learned much later that it was Peter's. Federal agents believed he was moving or expanding his drug operation into North Carolina. When her parents decided to pay a visit, Peter called them before they left home, saying that he was leaving for the semester and that Kemba was keeping his furniture. "My father didn't talk much, but he noticed something wasn't right," Kemba remembers. "But he was giving me the benefit of the doubt."

Still, Gus asked her to return home. Bounty hunters for a bail bondsmen were calling and visiting the Smiths, asking about

Peter and wanting to talk with Kemba. They also told her father that federal drug agents were looking for Kemba to ask about Peter. Gus told Kemba about the bounty hunters. She, in turn, told Peter. Her parents then asked the county sheriff for help in getting the bounty hunters to retreat. Gus also called the Drug Enforcement Administration to find out why they wanted to talk with his daughter.

Peter suggested Kemba go home but to avoid the bounty hunters. But one day, while at home, a hunter telephoned Kemba about Derrick Taylor, one of Peter's best friends and one of his street dealers. Immediately after, Kemba left her parents' home and called Peter. "He told me to come to Newport News immediately. I did."

At an apartment in Newport News, Kemba met Peter and one of her girlfriends who was also his close friend. Kemba and Peter went into another room and she told him about her phone conversation. Peter was suspicious that she had not told him everything.

"He beat me real bad. With a belt. With a brush. With his hands. And then he tells me to go sit in some bath water. I'm starting to swell. I'm shaking and crying. He came in the bathroom and started asking more questions. When he wasn't happy with my answers, he'd just hit me with the brush. My girlfriend, who was out in the living room, came in after he stopped. She



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# "MY PARENTS...WANTED THEIR DAUGHTER BACK. THEIR DAUGHTER WANTED TO BE PERFECT, NOT COMING HOME TELLING THEM HER BOYFRIEND MURDERED SOMEBODY."

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hugged me and asked if I was all right. Eventually, he came in and told me to get out of the tub." She put on a bra and panties. "Then we sat out front and talked small talk for a while. Then we went back to the back room and he asked me to dance for him. I was ashamed.

"I couldn't even look at myself," Kemba recalls. "And I couldn't understand how he could ask me to do that. Even when I kept telling him 'no,' he made me feel like he was going to do something. I danced for about 30 seconds. Then he told me to stop. Then he started crying. My legs looked deformed. That was the worst he had ever beaten me. I didn't go home for a couple of nights. I finally went home, but he called and asked me to come to Charlotte. I felt trapped. I loved him."

She went to Charlotte.

"Peter never apologized for the beating; he kept beating me later, just not as bad. I'm losing contact with my family. I'm torn between my mother, father and him, and I'm coming to grips with 'it can't be both.'"

## ~ THINGS FALL APART

**B**Y CHRISTMAS, Kemba had withdrawn from Johnson C. Smith and enrolled in nearby Central Piedmont Community College, trying to keep her eye on finishing school while keeping Peter and her parents happy. Kemba would spend some time at home during the Christmas break and some time in Newport News.

"I fell apart a lot. I would get on my knees and ask God to help me because I didn't know what to do. I really loved Peter, but it didn't seem like I could just get up and leave. My dad [subsequently] has told me he would see me crying and on my knees. And my mother would ask what was wrong, and I would say, 'There's something going on,' but I didn't go in depth. They knew something was wrong. I was always going out to call Peter but lying to them about where I was going. I hated it. I felt alone."

In February 1993, Peter was arrested in New York on state drug possession charges. Again, Kemba was drafted into service. A friend and a relative of Peter's contacted her in Charlotte and asked her to help get him out of jail. The next day, she was in New York and "I find out what's really going on." Peter had been arrested for carrying 10 ounces of crack in a taxicab, according to prosecutors during federal court testimony. His bail was \$75,000. Kemba could help by delivering an envelope to a man in Brooklyn. She did as she was told.

"To me, I didn't know where it came from. It wasn't my money. My thing was to help Peter get out of jail. For some reason, I felt I was whole if we were together. I was crazy. I was scared of him, but I loved him. I just wanted to help. And I didn't want to be away from him. One thing you've got to understand is that Peter talked a lot and made sure he knew what you were thinking and tried to control how you thought."

Peter left New York and never went to trial in the case, just as he had evaded trial in Virginia. There was a gathering at Peter's brother's house just after Peter's release. At one point, Peter went

into a rage, saying Kemba didn't notice the advances of a woman present who was trying to proposition her. He slapped Kemba, struck her on the head and told her he would have let the encounter continue had Kemba not been pregnant. A week later, back in Charlotte, lonely and scared, Kemba had a miscarriage. She called her father and told him she couldn't take it anymore. Kemba asked him to wire her \$50 for a bus ticket home.

"When I got the money, I paged Peter. I told the operator to put in the pager where I left the car parked, and that 'I can't take it.' I went to the bus station and got on the bus. By the time we were pulling out, Peter had run to the station and was blocking the path of the bus. He got on the bus and called for me, asking 'What's wrong?' He was just like, 'What? You were just going to leave me? You can't just leave me.'" They got off the bus.

"When we got to the apartment, I told him I was afraid of him. He cried. I cried. I called my father and told him everything was okay and I wasn't coming home. He was stunned, but didn't know what to do. He didn't want to lose me."

By May 1993, things got even stranger. The woman who had consoled Kemba after the bathtub incident arrived in Charlotte with her belongings. So did Derrick Taylor. A few days later, Peter, Derrick and the other woman, known to others in the group as Peter's "gangsta bitch," (his partner) packed for a road trip. Kemba was not happy that the woman was going, but she dared not confront Peter about it. After all, Kemba saw the two as sister and brother, nothing more.

The next day, Peter and the woman returned without Derrick. According to the government's presentencing investigation for Kemba, Derrick was found dead in Dinwiddie County, Va., with bullet wounds in the head and neck. Peter then announced that he and the other woman were going to Atlanta.

"I don't understand what's going on. I'm scared. Peter calls later and tells me to get the two guns [also fake ID stamps, scales and other drug paraphernalia] and put them in storage. I was scared to ask what was going on. I don't know how to explain it. Then Peter tells me to come to Atlanta and check into a hotel."

As always, she complied.

"That's when he tells me what happened. [Kemba and others would testify later in federal court that Peter said he had killed Derrick Taylor]. I was shocked, upset, scared to react. I was already in confusion and that made everything a blur. He said he did it because Derrick was talking to the police, and he [Derrick] was going to rat him out and rat me out. I still managed to feel sorry for Peter because he was hurting. Peter wanted me to come home to talk to the police to see how much they knew since my parents had been talking to them. They wanted their daughter back. Their daughter wanted to be perfect, not coming home telling them her boyfriend murdered somebody."

By the summer of 1993, life for the suspected drug ring in which Kemba had been a minor player was beginning to unravel. Federal drug agents were turning up the heat on the operation, of which Kemba knew only pieces. The piece she did know about, however, was big.

According to the 16-count indictment filed with the United States Court for the Eastern District of Virginia in Norfolk, fed-





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## FEDERAL DRUG AGENTS WERE TURNING UP THE HEAT ON THE OPERATION, OF WHICH KEMBA KNEW ONLY PIECES.

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eral drug agents considered Peter Michael Hall and his brother, "Unique," leaders of a violent drug ring that moved as much as \$4 million in cocaine and crack cocaine between New York and Virginia between 1989 — the year Kemba finished high school — and 1993. The U.S. Marshals Service said in its December 1993 murder warrant that Peter was known to be armed and traveled "in the company of female associates who transport arms for him."

Federal drug agents believed Peter was in charge of opera-

tions in Virginia. He recruited college students, including Kemba and her girlfriends, to work as mules — some hauling hundreds of pounds of cocaine from New York to Virginia and carrying money from Virginia to New York. They were also getting cars and trucks and apartments in their names and justifying Peter's presence among college students by serving as girlfriends. Peter was also recruiting young men in and around the campuses to sell drugs, court documents say. Federal agents believed Peter was an enforcer; Derrick Taylor was one of several operatives alleged-



# THE FEDERAL INVESTIGATORS KNEW KEMBA WAS A LOW-LEVEL PLAYER IN THE DRUG RING, BUT SHE COULD BRING THEM PETER, ONE OF THE BRAINS OF THE OPERATION.

ly murdered by Peter and his associates.

Kemba went home in June and was apprehended in the middle of the night by federal drug agents at her parents' home. Wanted as a material witness, Kemba was petrified, her mother was hysterical, her father was upset. Gus said federal officers had promised she would be able to turn herself in. Jailed for the first time in her life, Kemba spent the night on the floor of the cell, scared and speechless.

## ~ BAD DECISIONS

**T**HE NEXT MORNING Kemba was in court. Her bail was set at \$50,000. Her parents put up as security for a bail bond the new house they had moved into after her high school graduation. Kemba then went before half-a-dozen federal drug agents and prosecutors who asked her for information that could clear her name. Kemba's lawyer, David P. Baugh, told her, "If you don't fully cooperate, they will put you away for a long time, young lady." The investigators wanted to know what Kemba knew, particularly the whereabouts of Peter.

"I talk to the agents and botch everything," Kemba says. "I'm scared. I don't know what to do and what to say. Peter always said, 'Don't dance with the devil.' He used to get me to watch shows, like *NYPD Blue*, so I'd know I didn't have to answer every question. But when I got there, I started answering questions. But I was telling lies. I'm scared. To me, I'm in the same position as Derrick Taylor, and there was no way I was going to say anything."

After the questioning, Kemba was released. She decided to rejoin Peter in Atlanta. "My parents begged me to stay home. That was very traumatic. My mother was crying, holding on to me and telling me she didn't want me to go. I told her I was coming back. I felt I had to go and let Peter know what happened. I told her I loved her and assured her I was going to be okay. I didn't know what I was walking into, but I was still going. It was so weird," she says, her eyes welling up with tears.

In a matter of weeks, Kemba was back home. Peter didn't want her around because he knew the agents could trace him through her. Meanwhile, the fall of 1993 was like the good-old days with the family. Kemba was back home and enrolled in Virginia Commonwealth University. She also got a job at the local housing authority and started feeling like her life was finally gaining a sense of normalcy. But there was still this "craziness" of calling Peter all the time.

As money dried up and federal agents began getting closer, Peter the provider began asking Kemba for money. Over a period of two months, she withdrew about \$1,500 from a joint account she had with her mother and sent it to him. The other woman, who had moved to Atlanta with Peter, also was supporting him with money drawn on her grandmother's American Express card — nearly \$10,000.

In early November, Peter called Kemba from Atlanta. He told her that his companion had been arrested for trying to make a purchase with a fake ID. He also asked Kemba to send

more money. In early December, Peter called again. This time he asked her to meet him in New Orleans, Kemba testified in court. To cover for the money missing from her mother's account, Peter told Kemba to tell her parents that someone was extorting money from her. Rather than confront her parents with a new round of lies and more bad news — that she was leaving again — Kemba left from work after her lunch break and was not heard from again for five months.

What Kemba did not know as she was fleeing was that the party was over. Twelve people, including Peter, his brother "Unique," Kemba and others from her Hampton years, were days from being indicted by a federal grand jury in Norfolk on various charges, including conspiring to sell powder cocaine and crack. Nearly all of them, except Peter and Kemba, were immediately rounded up, according to court records.

Kemba did not know of the indictments when she fled, she says, and to this day, she is unsure whether Peter knew at the time he called her for help. He did tell her he had barely eluded capture in Atlanta in November 1993 by Drug Enforcement Administration agents and Hampton police who had been deputized as federal agents. He didn't tell her he had nearly run over two of the officers in the process.

She also didn't know that Peter, sometimes known around Hampton as "Khalif," was wanted in connection with several murders in New York and Virginia, in addition to the killing of Derrick Taylor. Kemba didn't know that some of the other women who had been lured into service didn't "botch it" when pressured by federal agents to cooperate in helping prosecutors bring these alleged drug dealers to justice. She didn't know until much later just how many other women — at least three — also claimed to have had children by Peter during the time she was supposed to have been his girlfriend.

The federal investigators knew Kemba was a low-level player in the drug ring, but she could bring them Peter, one of the brains of the operation. Why investigators didn't bring her in again sooner and charge her remains unclear.

As federal agents continued to close in, Peter instructed Kemba to take a train from Danville, Va., to New Orleans. But Peter was not at the train station as promised. He was on the run and federal agents were hot on his trail. Kemba paged him. He told her to catch a bus to Houston, where he met her. He was dressed in army camouflage clothing and looked bewildered. They walked and walked and walked, Kemba recalls.

"He didn't have any transportation. It was obvious." No BMW. No Mercedes. No Jeep Wrangler. No Saab. No 300Z. None of the vehicles that turned the heads of Kemba and the other girls at Hampton.

"He was depressed," Kemba remembers. "I felt as though I had to comfort him. He didn't have any money. He was pawning stuff. We basically lived day-by-day. There were a couple of days we didn't eat." It was a far cry from the memorable time they spent at an Italian restaurant in downtown Norfolk one night when even the chef came out to greet Peter.

"When Peter found out about his brother being arrested, he didn't want me to go home because he knew the federal agents



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# "I WAS CONFUSED. I WANTED A NORMAL LIFE. I'M ABOUT TO HAVE A BABY.... PETER YELLED AT ME AND SAID, 'STOP TALKING ABOUT A NORMAL LIFE. WHAT IS A NORMAL LIFE?'"

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would want me to testify against his brother," Kemba says. "He said I could go home later." With help from a friend, Peter obtained enough money to move on. They landed in Tempe, Ariz., another college town. Peter was trying to reach the West Coast, where he thought he could find one of the women who had turned government witness against him. "I thought, 'If he found her, he would hurt her,'" Kemba says. "I said, 'Are you stupid?' He said it was his freedom at stake and he just wanted to know what she told."

## ~ LIFE ON THE RUN

**W**ITH MONEY WIRED from friends and a relative of Peter's, the odyssey carried them to San Diego where the woman was believed to be living. Kemba remembers Peter staking out the house of a cousin of the woman one day in hopes of finding her. But there was no such luck. By late March, they had moved north. "He went to Seattle, a place he had an interest in from his Hampton days," Kemba says. Seattle was the New York of the West Coast. He also thought no one would find him there.

"The move was miserable. We were homeless, had no money, were living day-by-day, spending nights at the bus station, in rinky-dink hotels. And that's when I started to figure I was pregnant [again]. I also started to get fed up.

"I was confused. I wanted a normal life. We talked a lot about the woman who went to Atlanta and her baby. He said it wasn't his. I got a little aggressive. I got fed up. Whenever we needed groceries, I'd have to go by myself. Whenever we needed money, I'd have to go to the pawn shop. One day I just broke out and said, 'I want to go home. I'm about to have a baby and I just can't go to the hospital and drop a baby. I need insurance.' Peter yelled at me and said, 'Stop talking about a normal life. What is a normal life?'"

Kemba went to social services, used a fake name and told them she was pregnant. She got prenatal care and food stamps. She also was getting insistent with Peter about contacting her family. She wanted to know if her grandparents were okay, particularly Odessa's father, for whom she held a special admiration.

Peter finally acquiesced and told Kemba to telephone a cousin instead of her parents. "[The cousin] was shocked, happy to hear from me. People thought I was dead."

To conceal their whereabouts, Kemba persuaded the cousin to send money to a one of Peter's friends in Hampton. The friend forwarded the money to Peter, who used it to rent an apartment. By the end of July, Kemba called another cousin, with the same result.

"I'm still pregnant, still going to the doctor. He's riding around talking crazy, wondering what's going on. I'm still adamant about wanting to go home, and he's apologizing for the delay. He got a fake ID, opened a bank account and wrote a check to a travel agent to get me a train ticket home.

"When he gets me the ticket, I'm scared to go home. My main concern is not the police but whether my parents were

going to accept me. I said to myself, 'I may just turn around and come back.' I felt so alone, confused, scared and not sure what I was walking into. My first thought was that I had to do what I had to do to get my life back on track and to prepare for my [baby]. When the train got to the first layover stop a day later, I called Peter. He said he went to the first city where the train would have stopped to pick up passengers and he knew I'd be waiting for him."

For once, Peter was wrong. Three days later, in late August, Kemba's cousin picked her up at the train station in Richmond for the final 20-minute ride home south along I-95.

"As we pull up to the house, I'm scared. I see my dad pacing in the front window. I ring the bell. My mother and dad have open arms, saying they love me and how glad they were that I was at home. I was crying, and said, 'There's something you don't understand. I'm pregnant.' My mom said, 'I don't care. I'm just glad you're home.'"

Kemba turned herself in to federal authorities on Sept. 1, 1994, and was held without bond. On Sept. 15, Peter was placed on the "15 Most Wanted List" of the U.S. Marshals Service, triggering an expanded nationwide hunt. It was late in the month before prosecutors talked with Kemba. When they did, the lead prosecutor explained: "He didn't want me, that he wanted Peter and if I told him where Peter was, he would drop the charges."

Kemba gave them a story. Again, it was laced with lies. She wouldn't give up Peter.

"I guess I was still hoping that things could change, that he would change and things would get better," Kemba says. "I was also scared. I think he always thought my parents were responsible for this whole thing blowing up. That's another reason why I felt I had to take the burden of everything — being miserable. He had me thinking it was my parents, which had me thinking I was responsible."

While waiting to talk with the federal agents, Kemba resumed sessions with JoAnn Thomas-Wilson, the clinical psychologist. Kemba had returned home depressed and suicidal, recalls Thomas-Wilson. "She was feeling major guilt about bringing back an unwed pregnancy, being with Peter, the fact that she had lied to her parents," explains Wilson. "She was feeling major helplessness, just overwhelmed by the sum total of what her life had been like — a sham, worthless."

Several intense, heart-to-heart sessions followed and Thomas-Wilson helped Kemba examine her choices. Kemba concluded: "It was him or me and my [baby]. And every night I prayed and asked God to help me because I didn't know what to do."

On a Friday night, asleep in her jail bunk, Kemba woke up crying uncontrollably. She had dreamed Peter was in her arms dying. The next morning, Oct. 1, she called her dad and said she wanted to talk to her new lawyer, Robert Wagner. The family had switched lawyers because of limited finances and disagreements over tactics. She told her father that she was ready to tell all and finally end the nightmare.

By Monday morning, when her lawyer arrived to make



arrangements with the federal prosecutor, there was startling news. Responding to a series of anonymous phone calls over the weekend, Seattle police had located 31-year-old Peter Michael Hall in an apartment in the university district. He was dead of a gunshot wound to the head, apparently killed on the previous night — hours after Kemba had her dream. Based on tips, the U.S. Marshals Service had been searching the Seattle area for Peter for about a week before the slaying. But, as had been the case throughout the search for him, without Kemba's help, federal agents always found themselves arriving too late.

"Initially, I was heartbroken," Kemba says. "Then I was relieved for myself. It was like I felt a sense of freedom. And I was relieved because the running was over. Then, I was heartbroken because I felt his death was my fault. I went back into my jail cell wondering if he was in heaven or in hell."

There were news accounts in Seattle and southeastern Virginia of Peter's death. The medical examiner's office in King County, Wash., said it was unsuccessful in finding a relative to claim Peter's body. After three months, the county coroner gave the body to Southwest Mortuary, a local establishment whose turn it was to bury unclaimed bodies. There was no funeral, no graveside service. Peter Michael Hall was buried unceremoniously in Mt. Olivet Cemetery in Renton, Wash. His death remains an open case, according to Seattle police.

A few days after news of Peter's death, Kemba followed the advice of her lawyer and pleaded guilty to federal charges of conspiracy to distribute cocaine, lying to federal authorities and conspiracy to launder drug money. While several other charges were later dismissed on the motion of the government, Kemba had accumulated a shopping list of legal transgressions, her lawyers would later acknowledge at her sentencing hearing.

According to court records, she had carried and concealed illegal weapons; ridden in a van carrying drugs from New York to North Carolina; carried money, strapped to her body like a mule, from Virginia to New York; obstructed justice when she rented apartments in her name to conceal Peter's identification; provided transportation for a suspected felon by purchasing a vehicle for Peter in her name; laundered money by forwarding it to Peter while he was on the run from federal authorities; forged birth certificates and other ID; and obstructed justice by denying to federal agents the knowledge she had about Peter's where-



*Clinical psychologist JoAnn Thomas-Wilson counsels the Smith family.*

"SHE WAS FEELING MAJOR HELPLESS-  
NESS, JUST OVERWHELMED BY THE SUM  
TOTAL OF WHAT HER LIFE HAD BEEN...."

abouts. On a personal level, she had betrayed herself, her parents and her future.

Despite the seriousness of the charges, there was some hope for Kemba, her family and her lawyer that her 11th-hour confession and Peter's death would provide her the same leniency that some of her girlfriends from Hampton had received. Most had turned state's evidence, helped put the other gang members in jail and were released to put their lives back together; one was placed in the federal witness protection program. But to the surprise of everyone, the government moved to have Kemba, then seven months pregnant, held in jail until sentencing. Frustrated federal prosecutors apparently were in no mood to deal, especially on the more serious charges of conspiracy and lying to fed-



## FRUSTRATED FEDERAL PROSECUTORS WERE IN NO MOOD TO DEAL, ESPECIALLY ON THE MORE SERIOUS CHARGES OF CONSPIRACY AND LYING TO FEDERAL AGENTS.

eral agents. In a last-ditch effort, the family turned to another lawyer, William P. Robinson Jr., of Norfolk. Wagner, who became co-counsel to Robinson as Kemba's case went to sentencing. The family wanted to have benefit of local counsel who might be more familiar with the court.

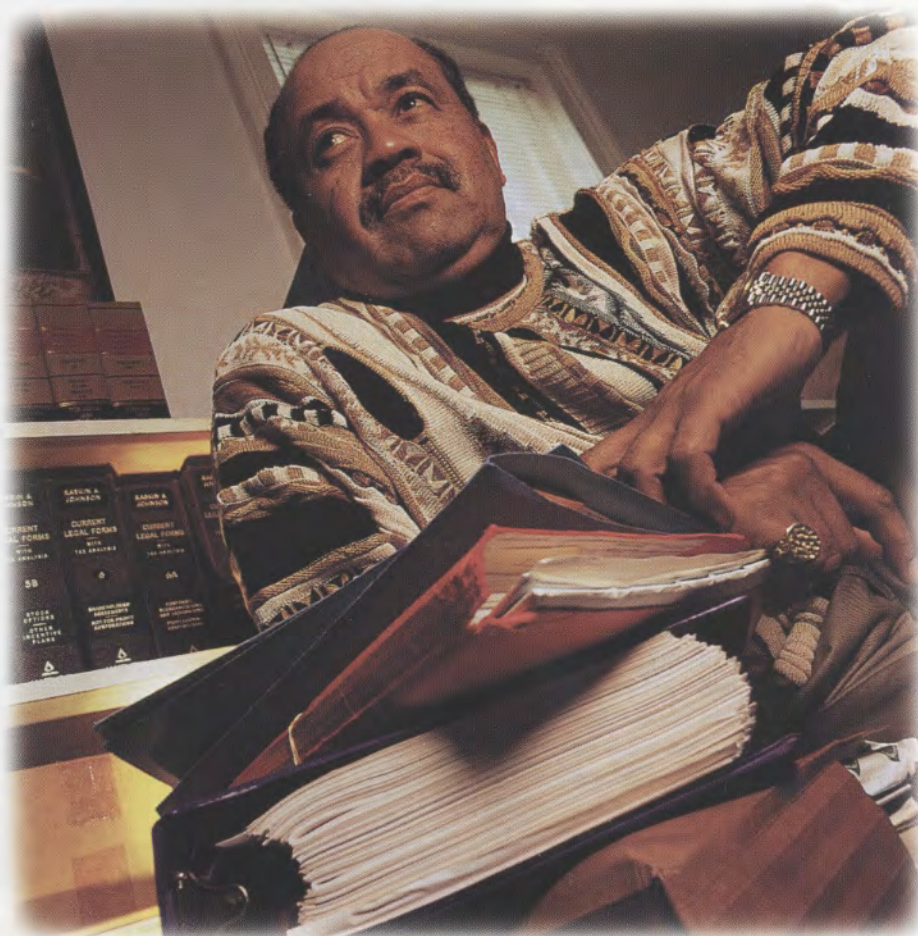
In December 1994, four months before her sentencing, Kemba gave birth to her son, William Armani Smith. She was allowed to breast-feed him once and to see him for only two days. That stay was a compromise the hospital forced upon the marshals, who wanted to return Kemba to prison an hour after she gave birth. Kemba and "Mani," as he is called, have not been together since, except for an occasional prison visit. The baby is being reared by Kemba's parents, who are receiving \$131 each month in public assistance to support him.

The federal courtroom in Norfolk was filled with well-wishers on April 20, 1995, the first day of the two-day sentencing hearing. Family members were there. Co-workers of Gus and Odessa were there. So were neighbors. Also present to show support for the family was Roy West, the former mayor of Richmond; Ed Murray, a former director of corrections for the state of Virginia; members of St. Peter Baptist Church in which Kemba grew up in in suburban Richmond and Mt. Olive Baptist Church in Norfolk, to which Gus' family belonged. Several dozen people had written the sentencing judge vouching for Kemba's character, with more than a few asserting that, if anything, Kemba was guilty of being naive.

Robinson, a veteran state legislator and no stranger to drug cases in the Tidewater area, made an impassioned plea for the court's mercy. He recited the criminal offenses and declared Kemba "does not deny factually the conduct, any of the conduct, that brings her to the court...."

"All of this could have been avoided if she were of her own mind," Robinson argued. He pointed out that two psychologists for the defense, one of whom was Thomas-Wilson, characterized Kemba's conduct as consistent with that of a battered woman. She was acting under "coercion and duress," Robinson insisted, citing a factor in which federal sentencing guidelines would allow the judge to apply a lower mandatory sentence.

But Fernando Groene, the assistant U.S. attorney handling



*Veteran Virginia Rep. William P. Robinson Jr. helped present Kemba's case.*

## "ALL OF THIS COULD HAVE BEEN AVOID- ED IF KEMBA WERE OF HER OWN MIND."

the drug ring case, painted a different picture. Though the pre-sentencing investigation report on Kemba states she did not sell cocaine nor cocaine base, she "was aware of the organization's activities and aided and abetted the conspiracy."

Groene declared: "Judge, the real tragedy of this case is that this is a drug case and that the distribution of drugs by the people who the defendant assisted, those lives are also ruined. She hasn't expressed remorse for the lives that those drugs have destroyed. ...She turned her back on her parents, on the laws, on society, on the people who were being threatened...people who were being killed...and the only possible explanation is she did it willingly for the love of Mr. Hall, not because she was afraid of him."

After both sides presented their arguments, it was time for U.S. District Judge Richard B. Kellam to be heard.



"WE TRY NOT TO LOOK BACK AND SECOND-GUESS....  
IT DOESN'T HELP US. FAITH IN GOD KEEPS US GOING."



*Kemba shares a rare moment with her son and parents.*

"Putting the defendant in incarceration will certainly not benefit her tremendously," Kellam declared. "I think that the purpose of it is, and the only purpose of it, is a deterrent to others, that everyone knows that if they violate the law, they must pay the penalty."

#### ~ HER DAY IN COURT

**W**ITH SENTENCING GUIDELINES and mandatory minimum laws in hand, Kellam announced 24-year-old Kemba's sentence: 294 months on the conspiracy charge, 60 months on a money laundering charge and 60 months for lying to authorities, the latter two sentences to run concurrently with the first. That's 24.5 years in jail — one for each year of Kemba's life.

"I think it's a sad mistake that she's made. It's a sad position that she's in, and she's placed her family in an even sadder position," Kellam told the courtroom. "But the law is the law.... I am just of the opinion I am not willing to say that her actions and conduct were controlled by her love for Peter Hall or her fear of

Peter Hall. It went on for too long a period of time for that to have existed."

A stunned hush filled the courtroom. Kemba cried as she was led back to a holding cell. Well-wishers also wept. As they left the courtroom, Gus and Odessa were sobbing. Outside, Odessa collapsed. As Gus swept her up, Robinson sought to reassure her. "It's not the end," he said. "It's not the end." Perhaps.

Gus and Odessa's life's savings have been depleted by Kemba's legal troubles. Lawyers' fees have exceeded \$25,000, and the meter is still running. Counseling costs for the family have run into the thousands. Keeping in touch with Kemba also is expensive, with long distance telephone bills reaching \$500 some months.

Friends and members on both sides of the family have pitched in with money and moral support. Neighbors offer words of comfort, a smile of hope, a babysitter. "We try not to look back and second-guess ourselves," says Odessa, struggling to maintain her composure. "We don't dwell on it. It doesn't help us. Faith in God keeps us going."

The rest of the drug ring also is paying a penalty on charges including conspiracy, possession of powder cocaine and crack with the intent to distribute, firearms violations and murder. "Unique" Hall has been sentenced to life; Frankie D. Thomas, life; Rodney Gainey, 324 months; John Stokes, 324 months; Norman McAllister, 210 months; and Patrick Avent, 188 months.

At the Federal Corrections Institution for Women in Danbury, Conn., Kemba is trying to make peace with herself, her family and society. She pauses for a minute when asked what she got out of the relationship, beyond a baby and nearly 25 years in prison. A look of disbelief sweeps across her face. "Out of a total of everything, I had one pearl ring, two diamond rings, two gold chains and a bracelet. Down the road, it got pawned, all of it. As for benefits, I don't have anything.... A few clothes, Polo, you know, material things I shouldn't even be in. I should be in business attire."

Kemba is now taking classes in self-esteem, assertiveness and reducing co-dependency. She's in the drug program to make sure she never even wants to touch an illegal substance again. She hopes to finish college through prison and correspondence programs. She's working in the prison's education department, helping inmates who are about to be released write résumés and complete college applications. She volunteers in the prison's children's center to help out when families come to meet loved ones. "How in the world am I going to explain this?" Kemba wonders, thinking about her son, who may be an adult before she is free.

"I want to be responsible and independent and know the real meaning of happiness and love. I want to take care of my child," Kemba says. She tries not to spend a lot of time looking back, "except to learn from my mistakes. I made some bad decisions. I don't put the blame on anybody." ■



