

Congress of the United States

Washington, DC 20515

December 17, 2003

Consul General Mr. Wang Yunxiang
People's Republic of China in San Francisco
1450 Laguna Street
San Francisco, CA 94115

Dear Consul General Mr. Wang,

We write to you today in response to a recent San Jose Mercury News article regarding the case of Jude Shao, an American citizen currently being held in a Chinese prison for alleged tax fraud (attached).

As you know, Mr. Jude Shao is an American citizen that was convicted in a Chinese court of law three years ago for allegedly committing tax fraud. He currently remains in Shanghai's Qing Pu Prison serving a sixteen-year sentence. To this day, Mr. Shao, family, and friends claim he is innocent and is the scapegoat for other companies that actually committed the crime. Yet, appeals to the Shanghai High Court have been ineffective because Mr. Shao claims they refuse to hear his exculpatory evidence.

We are very happy to hear that Mr. Shao will soon be given a fair opportunity to appeal his case, submit key evidence for the record, and be given due process in his appeal. We are very encouraged by the Chinese Justice Department review that found that the Shanghai High Court did not receive key documents to exculpate Mr. Shao.

We would like to take this opportunity to particularly thank you for your interest and work in achieving the review and opportunity for a fair appeal. We look forward to swift scheduling of the appeal, a careful review of his case, and a fair and just appeal.

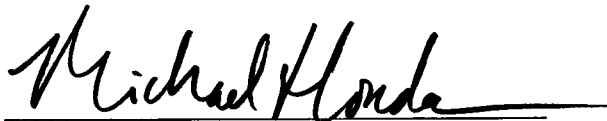
Sincerely,



ZOE LOFGREN Member of Congress



ANNA ESHOO, Member of Congress



MICHAEL HONDA, Member of Congress

The Mercury News

Wednesday, November 5, 2003

China says it will accept evidence in man's appeal

By Karl Schoenberger
Mercury News

In a potential breakthrough in the case of a jailed Bay Area businessman, the Chinese government has signaled that **Jude Shao** can submit new evidence to appeal his 1999 conviction for tax fraud.

Shao, a Stanford MBA who was the subject of a Mercury News report and editorial in July, is serving 16 years in a Shanghai prison. He says he was denied due process during his trial.

His attempts to appeal and submit exculpatory evidence to the Shanghai High Court have been rejected so far. Likewise, Shao's attorneys say his petitions to China's Supreme Court have been ignored, despite the opinion of an independent panel of Chinese legal scholars that the case should be retried.

The Chinese Consulate in San Francisco said that in response to the Mercury News coverage, it had asked China's Justice Department to look into Shao's case, and that the Justice Department found the Shanghai High Court had not received the "three pieces" of evidence Shao claims he submitted to the court in 2001 -- records from his San Francisco-based China Business Ventures that he says refute the tax-fraud charges. But the consulate's statement -- quietly released in August -- also says that "if Shao provides these three pieces of new evidence and also makes an appeal directly to the court, the court will adjudicate in accordance with law."

The consulate released its statement, in Chinese only, on Aug. 20. One of Shao's Stanford classmates found the document on the Internet while doing research for his group, which is advocating Shao's release, and had it translated into English.

Chinese Consulate information officer Lei Hong confirmed the accuracy of the translation and said it was an oversight that an official English-language version had not been posted on the consulate's Web site.

Shao, imprisoned at Shanghai's Qing Pu Prison, was informed of the consulate's statement, and responded in a message conveyed by his family. He said that "face-saving rhetoric aside, the statement may contain an unusual message from the Shanghai High Court; that is, that the court wants me to appeal to them again."

He added, "I am not sure if it is a wise thing to do now, but this statement is the first official response we have ever gotten out of the Chinese government since the campaign started."

John Kamm, a San Francisco business consultant who lobbies on behalf of prisoners of conscience in China, said the development comes as Shao and his supporters are

shifting their strategy from fighting the Chinese justice system head on to seeking his early release on medical grounds.

In recent months Shao has been suffering "severe headaches" that the prison infirmary has been unable to treat, said Chuck Hoover, a Los Angeles businessman who heads the campaign for Shao's release.

"It's important to work both sides of the equation, both the political solution and the legal solution," Kamm said. "They are not mutually exclusive. Jude can conceivably get early release for special circumstances and still try to exonerate himself in the Shanghai courts."

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