

# Congress of the United States

Washington, DC 20515

May 23, 2008

The Honorable Condoleezza Rice  
Secretary of State  
United States Department of State  
2201 C Street, N.W.  
Washington, DC 20520

Dear Secretary Rice:

We are writing to request your assistance with the case of Jude Shao, an American Citizen, who, as of May 8, 2008, has been imprisoned in China for ten years. We respectfully request that the release of Mr. Shao be made a top priority during the upcoming United States-China Human Rights Dialogue. We know that you have advocated for Mr. Shao on several occasions in the past, most recently raising his case publicly during your February 2008 trip to Beijing. This support is greatly appreciated. We therefore request that you take this opportunity to urge the Government of China to finally release Jude Shao.

Just after his graduation from the Stanford Graduate School of Business in 1993, Mr. Shao started a company to export American medical equipment to China. In July of 1997, we are advised that Mr. Shao refused a solicitation for a bribe by a Shanghai tax auditor, which started a chain of events that led to Mr. Shao's arrest in April of 1998. It is our understanding that Mr. Shao was held incommunicado without an opportunity to prepare for trial for a total of 26 months before he was finally sentenced to 16 years in prison for tax evasion.

Friends of Mr. Shao advised us that they have been able to recover his business records in the United States and identify errors that seriously call into question the case against him. Mr. Shao's friends tell us this evidence was reviewed by six prominent Chinese legal scholars at the Center for Research in Criminal Legal Science at National People's University, including former law professors, members of the Supreme People's Court and members of the Supreme People's Procurator. We are informed that these scholars each concluded that the case deserves a new trial. However, Mr. Shao has received no response to numerous petitions to present exculpatory evidence to the Shanghai High Court and the Supreme People's Court.

Finally, Article 81 of the Criminal Law of the People's Republic of China states that:

A criminal element sentenced to fixed-term imprisonment of which not less than half has been executed, or a criminal element sentenced to life imprisonment of which not less than 10 years has actually been executed, may be granted parole if he earnestly observes prison regulations, undergoes reform through education, demonstrates true repentance, and will not cause further harm to society after being paroled.


We believe that Jude Shao has met all of Article 81's requirements for parole eligibility and therefore should have become eligible for parole on May 8, 2006. However he has

been told by Chinese officials that he cannot be paroled because he is a foreign citizen. This refusal to grant parole is in clear violation of Chinese law.

We believe that the circumstances of Jude Shao's imprisonment, including the Chinese Government's refusals to declare him eligible for parole and to respond to his petitions to present exculpatory evidence, qualify his imprisonment as an "arbitrary detention" under the standards employed by the United Nations' Working Group on Arbitrary Detentions. According to the Working Group's guidelines, a detention may be classified as arbitrary if it is a case in which "the deprivation of freedom is arbitrary as it manifestly cannot be linked to any legal basis."

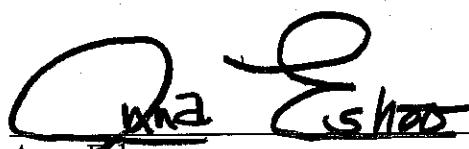
We urge you to make the release of Jude Shao a top priority during the upcoming United States-China Human Rights Dialogue. Mr. Shao has suffered great hardship during his unjust imprisonment, including financial ruin, divorce, the death of his father, deterioration of his health, and the loss of ten years of his life. We believe it is time for Jude Shao to be set free.

Sincerely,




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Zoe Lofgren  
Member of Congress




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Anna Eshoo  
Member of Congress



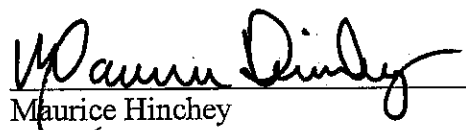
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Michael M. Honda  
Member of Congress



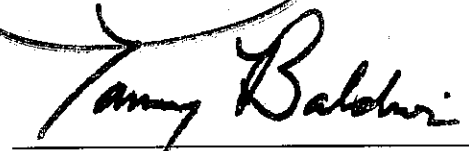
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Frank Wolf  
Member of Congress




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Maurice Hinchey  
Member of Congress




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Tammy Baldwin  
Member of Congress



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Janice Schakowsky  
Member of Congress



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Charles A. Gonzalez  
Member of Congress

cc: The Honorable Clark T. Randt, Jr., Ambassador