

STATE OF MARYLAND V. Jay Wilds

CASE NUMBER: CC#998B05801

AGREEMENT

This Agreement contains the terms and conditions that have been reached between the Office of the State's Attorney for Baltimore City, referred to in this Agreement as the "State," and the Defendant in the above-captioned case, referred to in this Agreement as the "Defendant."

The terms of this Agreement are as follows:

1. The Defendant agrees to cooperate with the State on the following terms and conditions:

a. The Defendant represents that he/she has fully and truthfully responded to all questions put to Defendant by law enforcement authorities during all prior interviews. If at any point it becomes evident the Defendant has not been truthful concerning his involvement in this incident, the State is immediately released from any obligation under this agreement, the agreement becomes null and void, and the State is free to bring any charge against the Defendant supported by the evidence. The Defendant shall continue to cooperate fully with the State by providing full, complete and candid information concerning the murder of Hae Min Lee of which Defendant has knowledge.

b. The Defendant shall cooperate completely with the State and any other Law Enforcement Authorities designated by the State, including Federal Authorities in any matter as to which Defendant's cooperation may be relevant. Defendant shall comply with any and all reasonable instructions from such authorities with respect to the specific assistance that Defendant shall provide.

c. The Defendant shall testify fully and truthfully before a State or Federal Grand Jury and at all trials or other proceedings in which Defendant's testimony may be relevant.

d. The Defendant agrees to make himself available as needed for any court hearings and or trials where his testimony is needed. He shall be responsible for seeing the State has the means to contact him. Further, the State will request a warrant for the Defendant's arrest if he is in violation of this paragraph.

3. Nothing in this Agreement shall be construed to protect the Defendant from prosecution for perjury, false statement, obstruction of justice or any other crime. This Agreement does not protect Defendant in any way from any prosecution for offenses which occur after the execution of this Agreement or for any crimes that may have occurred prior to this Agreement and are not a part of this Agreement as enumerated above.

4. If the Defendant compromises these investigations intentionally or through gross negligence, if Defendant is not completely candid and truthfully in the performance of this Agreement, if Defendant flees, attempts to flee, or fails to appear for Defendant's sentencing, the State and the Court will be completely released from any obligations under this Agreement and the State may recommend and the Court may impose the maximum penalties for each and every offense to which the Defendant has tendered a guilty plea pursuant to this Agreement. This includes the State's invocation of the minimum mandatory years.

5. The Defendant shall not be permitted to withdraw a guilty plea tendered pursuant to this Agreement under any circumstances.

6. The Defendant understands that this Agreement is as it appears and that it is a very harsh Agreement. The State makes no representation that this Agreement will be easy for the Defendant to complete.

7. The Defendant agrees not to ever disclose the terms of this Agreement or the existence of this Agreement to anyone except the Defendant's attorney if the Defendant has acquired legal counsel. In addition, the Defendant agrees not to disclose the names or other identify of any law enforcement authorities who are a party to or otherwise involved in the performance of this Agreement.

8. The State reserves the right to require the Defendant to perform specific acts in regard to the investigation and targeting or specific individuals or organizations. The State may require the Defendant to sign an Addendum to this Agreement that identifies those specific acts.

9. There are no other agreements, promises or understandings between the Defendant and the State. This Agreement can only be amended in a writing signed by all the parties.

10. The Defendant expressly waives any right to a preliminary hearing or indictment by a Grand Jury.

Jan

h. The Defendant will tender a guilty plea to:

One count of Accessory After the Fact to
the Murder of Hae Min Lee

and the Defendant expresses that Defendant fully understands the maximum penalties and fines for each and every charge as stated.

2. In consideration for the complete fulfillment by the Defendant of each any every term and condition of this Agreement, the State agrees to do the following:

a. At the time the Defendant executes this Agreement and tenders a guilty pleas as stated above, the State will recommend to the Court that disposition be set at a future date, specifically: at a date after all trials where defendant's testimony will be needed.

b. When the Defendant appears before the Court for sentencing for the offense(s) to which Defendant has pled guilty, the State will bring to the court's attention and the Court will consider:

i. the nature and extent of Defendant's cooperation;

ii. all other relevant information regarding the Defendant's background, character, and conduct, including the conduct that is subject of the various counts of the above-captioned indictments(s);

iii. any failure by Defendant to fulfill any or all of Defendant's obligations pursuant to this Agreement.

c. At Defendant's sentencing, the State will make a recommendation regarding the sentence Defendant shall receive based upon the extent of Defendant's cooperation pursuant to this Agreement. If the Defendant completes all of the terms and conditions stated in this Agreement to the satisfaction of the State, the State will recommend a sentence as follows: Five years to the Department of Correction with all but two years suspended, with three years supervised probation, said recommendation to serve as a cap.

d. If the Defendant fails to complete each and every obligation under this Agreement, the State will recommend a sentence as follows: Five years to the Department of Corrections.

e. Whether or not the Defendant has completely fulfilled all of the obligations stated in this Agreement shall be determined by the Court at the time of Defendant's sentencing.

Kevin Ows

9/2/99

Assistant State's Attorney for
Baltimore City
Narcotics Unit

Date

I have read this Agreement carefully and reviewed every part of it with my attorney. If I do not have an attorney, I expressly state that I understand this Agreement and enter into this Agreement freely and voluntarily without any duress or coercion by anyone whatsoever.

Jay Willy

9-4-99

Defendant

Date

I am the attorney for the Defendant. I have carefully reviewed very part of this Agreement with the Defendant. To my knowledge the Defendant's decision to enter into this Agreement is an informed and voluntary one.

Edna Bernara

9/3/99

Attorney for the Defendant

Date