

Alabama prisoner released after 28 years on death row

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On Friday, Alabama prisoner Anthony Ray Hinton was released after spending 28 years on death row for a crime he did not commit. He spoke to reporters at a tearful press conference as he walked out of the Jefferson County Jail, joined by family members and the attorneys who had worked to secure his release.

Hinton denounced Alabama officials who fought tenaciously for years to secure his execution, when a simple forensic test would have proven his innocence. “When you think you are high and mighty and you are above the law, you don’t have to answer to nobody. But I got news for them, everybody who played a part in sending me to death row, you will answer to God,” Hinton declared.

Now 59, Hinton spent much of the past three decades in solitary confinement in a 5-foot by 8-foot cell. If the Alabama authorities had gotten their way, Hinton would have been executed long ago, either by the electric chair or by lethal injection.

Hinton was convicted of a series of deadly shootings at Birmingham restaurants in 1985. However, there were no fingerprints or witnesses, and the only evidence against Hinton was that six bullets from three crimes allegedly matched an old revolver that police found at Hinton’s mother’s house. Recent tests confirmed that the bullets, in fact, could not be linked to the revolver.

The local authorities appear to have been under political pressure to secure a conviction, in light of a spate of similar crimes. The innocent Hinton—a warehouse worker who the prosecutor determined was guilty and “evil” based solely on his appearance—was the unlucky target.

Attorneys from the nonprofit Equal Justice Initiative have been trying to secure Hinton’s release since 1999. However, Hinton’s legal team encountered obstinate

resistance from state authorities at every step, even after they presented strong evidence of Hinton’s innocence.

In other words, Alabama authorities pressed ahead with the campaign for Hinton’s execution even though they knew he was likely innocent. They were willing to sacrifice Hinton’s life in order to avoid embarrassment to themselves.

“They had every intention of executing me for something I didn’t do,” Hinton said Friday. In a statement posted on the EJI website, lead attorney Bryan Stevenson said, “The refusal of state prosecutors to re-examine this case despite persuasive and reliable evidence of innocence is disappointing and troubling.”

After a protracted legal battle, the US Supreme Court finally ruled in 2014 that Hinton had received constitutionally deficient assistance of counsel and should receive a new trial.

Hinton’s capital murder trial approached the Kafkaesque. His attorney had mistakenly believed that he was only permitted to spend \$1,000 on a ballistics expert, and the only expert he could hire for that price was a one-eyed civil engineer who admitted on the stand that he had trouble operating a microscope.

Following the Supreme Court’s ruling, forensic scientists with the Alabama Department of Forensic Sciences confirmed that the revolver could not be linked to the crimes, and the state finally agreed to dismiss the charges against Hinton.

While Hinton was on death row, Alabama executed approximately 50 inmates. Many of these people were known personally to Hinton, up until the time that they were led away to the death chamber.

Hinton’s release occurred around a week after the exoneration and release of Ricky Jackson in Ohio, after he had spent nearly 40 years in prison. The principal

witness for the prosecution in Jackson's case recently recanted his testimony, saying that it was all lies that the police had pressured him to repeat.

The American "justice" system has been scandalized by the number of convicts later proven to be innocent, including many who were deliberately framed up by the police. Since 1989, there have been more than 300 exonerations through DNA evidence, including eighteen prisoners on death row. However, these numbers likely only represent the tip of the iceberg.

America has by far the world's biggest prison population—2.4 million people—and the highest imprisonment rate. Meanwhile, 3,000 individuals are on death row. The 16-year legal battle by a team of attorneys to secure Hinton's release, going all the way to the Supreme Court, underscores the difficulty of obtaining any relief, even in an egregious case where the prisoner facing execution is demonstrably innocent.

Stevenson spoke at Friday's press conference, calling Hinton's case a "miscarriage of justice" and Hinton's release after nearly 30 years "bittersweet."

"We have a system that treats you better if you are rich and guilty than if you are poor and innocent and this case proves it. We have a system that is compromised by racial bias and this case proves it. We have a system that doesn't do the right thing when the right thing is apparent," Stevenson said.

Much has happened in the three decades since Hinton was incarcerated. Having spent most of his time in solitary confinement, Hinton has never browsed the Internet, sent an email, or even used a computer. On the day of his release, Hinton's attorneys gave him a smartphone, relating that Hinton was "mystified."

Hinton's mother passed away in 2002, while he was still incarcerated. Stevenson told reporters, "Of all the things he has endured, the death of his mother caused the most pain." Hinton's first act as a free man was to travel to the cemetery to lay flowers on her grave.



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