



October 8, 2009

No help for the innocent

Freed after a wrongful conviction, ex-prisoners get no redress

By *JEFF GERRITT*

Had DeShawn Reed been paroled from prison, instead of walking out under a court order, the state would have given him \$75, a bus ride home, and maybe a little help finding a job or apartment. Instead, the wrongly convicted prisoner got nada, after serving eight years of a 20-year sentence for assault with intent to murder. Reed, 34, of Ecorse, who's unemployed and living with his disabled mother, wasn't even eligible for a boost from the Michigan Prisoner Re-entry Initiative.

In July, Wayne County Circuit Judge Patricia Fresard threw out the conviction of Reed and his uncle Marvin Reed for a 2000 shooting that left Shannon Gholston a quadriplegic. Gholston recanted his testimony, and the Michigan Innocence Clinic at the University of Michigan Law School produced evidence that another man -- found dead with the gun that was used in Gholston's shooting -- was the shooter. On July 31, inmate number 376440 became a free man.

"At least someone should have apologized to my mother and kids," Reed, who had maintained his innocence in prison, told me last week. "I heard nothing from the governor, nothing from (Wayne County Prosecutor) Kym Worthy."

And nothing from the Michigan Department of Treasury.

Nearly 20 states now have laws granting compensation to people wrongly convicted. Even Texas, with an express lane to Death Row, pays \$25,000 a year.

It's time this state did what politicians and the state Parole Board expect prisoners to do: Admit a mistake and own up to it.

A bill introduced by state Sen. Martha Scott, D-Highland Park, would bring Michigan in line with the federal Innocence Protection Act, which gives the wrongly convicted \$50,000 for every year they were in prison. It would also make inmates with court-vacated convictions eligible for education benefits and court costs.

Wrongful convictions occur far more often than people realize, especially with Michigan's limp indigent defense system. Incontestable DNA or other compelling evidence reverses only a tiny fraction of wrongful conviction cases. Still, dozens of Michigan inmates have had convictions overturned, including the high-profile DNA exonerations of Kenneth Wyniemko, who served nine years for a rape he didn't commit, and Eddie Joe Lloyd, wrongly imprisoned for 17 years for rape and murder.

More are coming. The new Michigan Innocence Clinic may be the nation's sole innocence project that takes only non-DNA cases, said co-founder David Moran. The clinic is now pressing for the release of another prisoner, Karl Vinson, 54, who was wrongly convicted 23 years ago of rape.

Nothing can repay people for time spent in prison for a crime they didn't commit. Still, the government that carried out the injustice should help them get their lives back. The money acknowledges a wrong and gives much needed assistance to ex-inmates who have lost their assets and savings.

"Someone should pay," Reed told me. "It's really easy to go to prison for something you didn't do. Unless it happens to you or to someone you love, you don't think about it."

JEFF GERRITT is a Free Press editorial writer. Contact him at gerritt@freepress.com or 313-222-6585.