

1 SJR4
2 170863-1
3 By Senators Coleman, Dunn, Singleton, Ward, Ross, Brewbaker,
4 Figures, Smitherman, Albritton, Stutts, Beasley, Reed,
5 Sanders, and Smith
6 RFD: Rules
7 First Read: 05-AUG-15

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8 APOLOGIZING FOR THE WRONGFUL INCARCERATION OF
9 ANTHONY RAY HINTON.

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11 WHEREAS, Anthony Ray Hinton was one of Alabama's
12 longest serving death row inmates, having spent more than half
13 of his life incarcerated; and after three decades of insisting
14 that he was innocent of the 1985 murders of two men, he is
15 finally free; and

16 WHEREAS, Hinton was convicted of two separate
17 killings of Birmingham restaurant workers, even though there
18 were no eyewitnesses linking Hinton to the crimes, no
19 fingerprints linking him to the scene, and no other physical
20 evidence except for a questionable link between a set of
21 bullets and a gun found in the home in which Hinton shared
22 with his mother; and

23 WHEREAS, for years, Hinton's lawyers have long
24 questioned whether the bullets could be conclusively linked to
25 the weapon, multiple tests of the physical evidence in the
26 case raised serious doubts about whether the bullets were all

1 fired from the same gun, and the ballistic evidence combined
2 with eyewitness testimony from someone who was present at a
3 similar crime with which Hinton was never charged comprised
4 the entirety of the state's case against him; and

5 WHEREAS, Hinton's breakthrough came last year when
6 the United States Supreme Court ruled unanimously that his
7 constitutional right to a fair trial had been violated,
8 finding that Hinton's defense attorney had hired an expert
9 witness who the defense attorney felt was inadequate but who
10 the attorney hired anyway because he did not think he was
11 allowed to spend the amount of money it would take to hire a
12 more qualified expert; and

13 WHEREAS, prosecutors easily discredited the expert
14 witness who had sight in only one eye and could barely see
15 through the forensic microscope; and

16 WHEREAS, after scrambling to find long-lost
17 evidence, prosecutors filed a motion to drop the charges
18 against Hinton, and Jefferson County Circuit Judge Laura Petro
19 dismissed the case; now therefore,

20 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
21 HOUSES THEREOF CONCURRING, That we do hereby apologize for the
22 wrongful incarceration of Anthony Ray Hinton and express our
23 sincere regret that the interests of justice were not served
24 in this case.