

Wrongful Convictions and Reconciliation

On April 3, 2019, I attended a discussion that took place in the Ukrop Auditorium in the Robin's School of Business here on campus. The discussion was about a man from Richmond, Thomas Haynesworth, who was wrongfully convicted in 1984 for the rapes of 5 women. Also on the stage was Janet Burke, who was one of the victims and 20 years old at the time, and Shawn Armbrust, the executive of the Innocence Project and the one who took on Thomas' case and proved his innocence. Thomas spent 27 years in prison before he was finally proven innocent after DNA testing was done on old evidence. Watching Thomas and Janet speak about the events that took place in 1984 was truly moving quite shocking. It was very interesting to see both sides of the situation and it was touching to see the way the two forgave one another for the horrible mistakes that were made at the time. In relation to MCI, I believe 3 keywords are applicable:

Stereotype, Memory, and Ideology.

Stereotype came into play from the beginning when Thomas opened up about what happened to him. He was 18 years old, living in East Richmond, and had never been in trouble with the law before. He even had dreams of becoming a police officer one day. He went to the store for his mother and on his way he was stopped by a police car. Essentially, they questioned him, brought in back up, and brought one of the rape victims to ID him. The officers asked her if he was the man who raped her, she wasn't sure. After asking 2 more times, and whispering things into her ear, she finally nodded. In reality another African American man named Leon Davis was the true rapist. Although Thomas didn't explicitly say it, he inferred that because he was a young black

man who fit the description, the police officers moved the process along as quickly as they could to convict him, with little regard for the truth. Even when he stood trial, little evidence was brought to light, and it was more of a 'he said, she said' scenario, and the odds were not in his favor. In 1984, in Virginia, racial stereotypes of black men were more publicly felt than they are now. This ultimately made it easy for the justice system to put him behind bars.

Memory was pivotal to this case. The only evidence the state had on Thomas was the fact that all 5 women positively ID'd Thomas as the rapist, based on a photograph. Janet even said she was 100% positive it was Thomas when she saw his picture. The issue with these eyewitness testimonies was that the man who committed the crimes, Leon Davis, wore a ski mask that slightly distorted his facial features. The other problem was that these women were extremely traumatized, as Janet said, and it was difficult for them to make rational decisions. However, the state did not take this into consideration and relied on the memory of 5 very young traumatized white women, who were trying to identify a black man who was wearing a mask. Eyewitness memory often lies, as we have learned in our class, and though these women did not mean to lie, because of the situation and the way that the police wrongfully conducted the identification process, they came to realize their memories betrayed them.

Finally, ideology was a major point of this discussion. Most Americans believe that the justice system will uphold the scales of justice. Both Thomas and Janet, throughout the investigation and trial fully believed that the man responsible for the crimes would be punished. They were both mistaken. The justice system did not do its

job and did not protect either party. As evidence of the Innocence Project that works to prove the innocence of wrongfully convicted felons, it is clear that the public does not have total faith in the justice system. Technologies and methods of investigation have definitely advanced, which helps the justice system function properly, and to ensure wrongful convictions do not happen as frequently. However, it was clear in 1984 that the justice system was flawed. The officers relied on stereotypes to find their preferred criminal, the courts and investigators relied on shaky eyewitness memory as evidence, and the justice system played on the American ideology that the judicial system is put in place to protect the rights of all Americans. This talk certainly challenged that ideology, reminding us that those in the justice system are human, have stereotypes, and make mistakes.



Thomas and Janet



Thomas after his exoneration alongside Shawn (over his right shoulder)