



EDITORIALS/OPINIONS



OUR VIEW

Researched Monthly
by Tanya R. Wiley
Publisher



"GUILTY UNTIL PROVEN INNOCENT" IT COULD BE YOU

"I sat there staring at the jury as they called out: *guilty-guilty-guilty-guilty*. Every charge that I had been accused of, I was convicted on."

This statement is not uncommon, however, many sigh at the thought that these people, innocent or not, could possibly be serving time for a crime that they did not commit.

Joyce Ann Brown, a native of Texas was convicted of robbery and sentenced to life in prison for a crime that she did not commit. Ms. Brown contends that initially she thought that someone was playing a joke on her. She read her name and address in the local newspaper, and when she went down to the police station to find out what was going on, they informed her that she was being booked for capital murder and that she was considered armed/dangerous and police officers were instructed to shoot on sight. Ms. Brown obtained a lawyer, and her bond was set at \$25,000.00. Her family raised the money, she was released, and within twenty four hours she was re-indicted for aggravated robbery.

Ms. Brown spent 9 years, 5 months and 24 days in prison for a crime that she did not commit. When she was imprisoned, her daughter was eleven years old, and by the time she was released from prison, her daughter was twenty years of age.

During Ms. Brown's trial, astonishing evidence were presented which disproved her guilt. There were over twenty five witnesses who testified that she was at work during the time the murder/robbery was committed, but this did not stop the jury from returning to the court room

with a verdict of 'guilty'.

It has been said that in America a person is presumed innocent until proven guilty, however, in many instances, such as the case of Ms. Brown, guilt is presumed until innocence is proven. In 1993 Rodney J. Sumler, Patrick Hairston and Evangelist Lee Faye Mack were all convicted of crimes in which they maintain their innocence. Mrs. Mack was released following a six month incarceration period, while Patrick Hairston and Rodney Sumler are still serving time.

Mr. Sumler has been working since day one to gather up enough evidence which would enable him to return home to his family.

"The hardest part about being in prison is the separation from my family." Sumler adds, "I have a six year-old daughter who does not understand why her daddy cannot return home." Just like Joyce Ann Brown, Mr. Sumler has been snatched away from his family and his community, and he persists that he is innocent of all charges against him.

During an interview on the Bertice Berry Show, which aired on January 6, 1994, Clarence Brandley, who was sentenced to death for rape and murder (*crimes which he was exonerated of after 11 years in prison*) did not even fit the description of the murderer/rapist. Mr. Brandley was administered a polygraph test - and passed, samples of his pubic hair, saliva and blood were taken, and none matched that of the suspect in the case. **This is a Black man with black hair and A+ type blood; the suspect was a white male with reddish/blond hair and O type blood.** One would think that you cannot get more 'cut and dry' than

LETTERS WELCOME

Letters to the editor are welcome. They should be limited to 300 words. All letters must carry the name and addresses of the writer. If a letter is written for a group of people or an organization, the name of at least one member of the group must be signed. Send all correspondences to AC Phoenix c/o: Editor P.O. Box 4416 Winston-Salem, NC 27115-4416.

Thought For The Month: Let his life be a celebration of our history, and his birthday a celebration of life.

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that. Clarence Brandley, however, served 11 years in prison for a crime that he did not commit. He had been sentenced to death row, and it was not until two days after his scheduled execution that he was informed "*Mr. Brandley, all these years we had the wrong man.*"

Rodney Sumler was a community activist who lived to serve his people. In interviewing some individuals regarding Mr. Sumler, they talk about his willingness to always lend a helping hand. Senior citizens in his neighborhood expressed their anger over the fact that the government took away a "strong backbone" from their community. They recount the numerous times that Mr. Sumler left his home in freezing weather to insure that their sidewalks were clear of ice, and they had enough food in the house. Does this man fit the description of a person who should be incarcerated?

The government and our judicial system many times fold in high pressure cases such as those aforementioned. In the case of Rodney Sumler, who is a Winston-Salem native, thousands and thousands of dollars had been spent to set up several Black political officials. Many readers may remember the case as "*Operation Mushroom Cloud.*" The initial idea was to set up several aldermen in the Triad area, but by the end of the case, only one former alderman was imprisoned, while Rodney J. Sumler (lobbyist and political consultant) was incarcerated and sentenced to serve more time than any others involved.

"The majority of us is only as great as the least of us." If this

saying is true, then the question arises, "**why did the community do nothing to help a man who always helped his community?**" Joyce Ann Brown and Clarence Brandley finally found someone to speak out for them. Their families had been working all along to free them, but it took the work of people outside their families to make a difference. As Black people we have to learn that when injustice is suffered by our brothers and sisters, we too suffer as a nation. "When my brother is in trouble so am I."

People may wonder, "If these men (Rodney Sumler & Patrick Hairston) are not guilty, then why are they still in prison?" For the same reasons that Joyce Ann Brown served over 9 years in prison. Our criminal justice system is supposed to work for us, but many times it works against us. Rodney Sumler has been in prison for one year and five months. He has not been allowed to obtain copies of his court transcripts, and now it has come to our attention that three days of his transcripts have been lost. Clarence Brandley had the same sort of problems, thus he remained imprisoned for over 10 years for a crime that he did not commit. Will we allow a leader of our community to go through the same thing, or will we pull together and do something to help bring him home where he belongs? When my brother is in trouble so am I. Think about it... It could be you.

HOW CAN I HELP?

For more information please send a self-addressed stamped envelope to:
AC Phoenix News
c/o: Guilty Until Proven Innocent
P.O. Box 4416
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WE SALUTE THE LIFE AND DREAM OF DR. MARTIN LUTHER KING