

NC judge weighs bail in Darryl Howard murder misconduct case

By Emery P. Dalesio

(AP) - A North Carolina judge said July 11 he is considering bail for a man who has spent nearly 20 years in prison for a double-murder conviction and is getting a new trial because the judge earlier ruled authorities withheld evidence that could have exonerated him.

Superior Court Judge Orlando Hudson ruled in May that Darryl Howard, 52, must be retried after evidence surfaced showing possible misconduct by former Durham prosecutor Mike Nifong, who was disbarred after the Duke lacrosse case, and a city police detective. Hudson said he intends to free Howard on unsecured bond with electronic monitoring unless he's blocked by a prosecution appeal to a state appeals court.

An appeals court decision could come within days, said Jim Cooney, a Charlotte attorney working to free Howard.

Howard was sentenced to 80 years in prison for strangling 29-year-old Doris Washington and her daughter, 13-year-old Nishonda, then burning their apartment. Both were sexually assaulted.

Hudson said he remembered observing the Howard murder trial in 1995 supervised by a fellow judge and wondering about odd details in the case.

"I was here then," Hudson said. "It was a horrendous prosecution. You know who prosecuted the case. I know who prosecuted the case. There was extremely credible, strong evidence that Mr. Howard did not commit" the crime.

State investigators determined Nifong lied and withheld evidence proving the innocence of Duke University lacrosse players, who were charged with raping a stripper during a 2006 team party.

Nifong, an assistant district attorney in 1995, failed to share with Howard's defense attorneys a police memo and other evidence that pointed to other suspects, Hudson ruled in May.

DNA tests on semen collected from the girl's body excluded Howard two decades ago. A Durham police detective testified at his trial that investigators never considered that the sexual assaults were linked to the killers. Nifong repeated that claim despite a police memo in the prosecution's files that contradicted him.

Police also heard from a tipster a few days after the bodies were found that a drug gang killed Washington and her daughter inside their public housing apartment because of a drug debt. The tipster knew that the killers raped the mother and daughter, something police had not made public.

New DNA tests paid for by the New York-based Innocence Project pointed to another man with a history of violent felonies, said Barry Scheck, co-director of the group that has exonerated more than 300 wrongfully convicted people nationwide.

"They are saints among us," Howard's wife of 15 years, Nannie, said after the hearing. "It's difficult, when you are a person who has a (criminal) history, to prove your innocence. Because if you were to poll anyone who's ever been in prison, the first thing they say is, 'well I'm innocent.' And everyone just laughs and assumes that yeah, you're guilty, maybe not for this but for something else."

Scheck and Darryl Hunt, who was freed in 2004 and pardoned after DNA evidence and another man's confession proved he didn't commit a Winston-Salem murder 20 years earlier, called on Durham prosecutors to review convictions involving Nifong and other prosecutors.

More than a dozen prosecutors' offices from New York City to Texas and California have created similar panels after finding that innocent people were wrongfully convicted. The groups have agreed to revisit more than 4,900 cases, resulting in at least 61 convictions tossed so far, The Associated Press reported last month.

Such a review team should "find out how many other innocent men and women are still in prison due to the unprofessional and criminal acts that the DA's office has done to Howard and so many others," Hunt said. "Durham really has an opportunity to really change the face of justice and make it right."



Valerie Jarrett meets with Urban Alliance students and alumni at their Washington, D.C. branch. From left to right: Brittney Mayo, Assima Raissa, David McIntosh-Peters, Akira Muse, Andre Williams.

Jarrett Meets With Urban Alliance

I had the pleasure this week to meet with a small group of amazing young people at the Urban Alliance Foundation's Washington branch. Urban Alliance is a program that provides high school seniors with a part-time job during the school year, full-time work experience in the summer, and wrap-around support throughout the year, including professional development, job training, financial literacy, mentorship, and post-high school planning services. Participants in the program receive real-world work experience - thanks largely to opportunities made available by the organization's business partners and valuable contacts.

The two current program participants I met, along with the two alums who joined us on summer break from college, explained how their work experiences gave them a glimpse of their potential futures as successful career professionals. And the results of this approach have been tremendous: 100% of Urban Alliance interns graduate high school on time, 90% are accepted into college, and 80% persist in college.

The good news is that all around the country, there are similar, successful programs finding success, closing achievement gaps, strengthening our workforce, and giving every young person a chance to reach their dreams. It is our objective to take these outstanding models of success to scale so that every young person in America, regardless of his or her zip code, has the same opportunity to achieve.

It's precisely this type of sharing of best practices and success stories which rests at the center of My Brother's Keeper, an initiative launched by President Obama, and led in partnership with business, philanthropic, education, labor, and cultural leaders around the country to help boys and young men of color overcome often daunting odds.

Beyond changing the lives of individuals, it's important to underscore the incredible potential we unlock in this country when we work together to build pathways of opportunity and success for all of our young people. We can transform neighborhoods, stem generational poverty, and build a brighter future for us all.

As is the case with the Urban Alliance, the best progress tends to be made when ordinary folks band together and commit to do extraordinary things. The fact is, this type of effort isn't "charity." Anyone concerned with the economic future of American families and our national economy knows that investing in the success of a segment of our population that otherwise would continue to fall behind is an investment in our collective future and our long-term prosperity.

To learn more and get involved with the "My Brother's Keeper" initiative, please visit <http://www.whitehouse.gov/my-brothers-keeper> where you can sign up to be a mentor in your community. You can also find additional resources and findings by reading through the President's My Brother's Keeper Task Force Report.

Valerie Jarrett is Senior Advisor to the President and Chair of the White House Council on Women and Girls.

Final arguments held in hearing on NC voting laws

By Michael Biesecker

WINSTON-SALEM (AP) - Lawyers for the U.S. Justice Department and an array of civic groups told a federal judge in North Carolina on July 10 that a sweeping overhaul to the state's voting laws will cause irreparable harm if left in place for the November elections.

U.S. District Court Judge Thomas D. Schroeder heard final arguments following a week of testimony about the potential impact of the Republican-backed changes approved last year.

Those challenging the measures say they are designed to suppress turnout at the polls among minorities, the elderly and college students - blocs considered more likely to vote for Democrats. They asked Schroeder to stop implementation of the new law until a trial scheduled next year to determine whether the changes violate the U.S. Constitution or the Voting Rights Act of 1965.

North Carolina's new voting law is considered one of the toughest in the nation. The 2013 law, championed by GOP lawmakers and Republican Gov. Pat McCrory, makes more than two dozen changes, including requiring voters to present a government-issued photo ID, ending same-day registration, trimming the early voting period by a week and ending a popular high school civics program that encouraged students to register to vote in advance of their 18th birthdays.

"The state can't play games with the most fundamental right in our democracy," said Dale Ho, a lawyer for the American Civil Liberties Union who was in court representing the League of Women Voters. "The evidence we've heard is that voters will have a hard time adjusting."

Republicans took control of the legislature in 2010 for the first time since Reconstruction and solidified their hold over state government when McCrory was elected two years later. They moved swiftly to approve the election law changes after the U.S. Supreme Court decided 5-4 to strike down a key provision of the landmark Voting Rights Act.

Ho cited statistics showing that in the 2010 midterm elections, nearly a quarter-million North Carolina voters either cast a ballot during the first week of early voting or used same-day registration.



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