

R E S O L U T I O N

1           WHEREAS, Six former death row inmates who have been  
2 exonerated of the crime for which they were convicted are visiting  
3 the State Capitol on March 16, 2011, the Day of Innocence, in  
4 support of a moratorium on executions and other related measures;  
5 and

6           WHEREAS, These men are among the 138 individuals who have  
7 been released from death row since 1973, either because their  
8 convictions were overturned and they then won acquittal at retrial  
9 or had the charges against them dropped, or because they were given  
10 an absolute pardon by the governor based on new evidence of their  
11 innocence; their lives forever changed by their wrongful  
12 conviction, these six individuals are now working to reform the  
13 criminal justice system; and

14           WHEREAS, Convicted of murder in Texas in 1981, Clarence  
15 Brandley was just weeks away from his scheduled execution when  
16 evidence of coerced testimony and blatant racism in his first two  
17 trials prompted the FBI to intervene; three years later, the  
18 charges against him were dismissed; Mr. Brandley subsequently  
19 married, apprenticed as an electrician, and became a Baptist  
20 minister; his life became the subject of a book, *White Lies*, and a  
21 cable TV movie, *Whitewash: The Clarence Brandley Story*; and

22           WHEREAS, Sentenced to death in Louisiana in 1987, Albert  
23 Burrell was 17 days away from execution in 1996 when his attorneys  
24 won a stay; the attorney general's office dismissed the charges

1 against him in 2000, citing "a total lack of credible evidence," and  
2 later DNA analysis reinforced that assessment; Albert Burrell  
3 currently lives and works in Center; and

4 WHEREAS, Gary Drinkard was convicted in Alabama in 1995; in  
5 2000, the state supreme court ordered a retrial on the basis of  
6 prosecutorial misconduct, and the following year a second jury  
7 found him innocent; Mr. Drinkard's case was subsequently presented  
8 to the U.S. Senate Judiciary Committee to illustrate the critical  
9 need that those facing the death penalty have for competent legal  
10 representation; and

11 WHEREAS, Framed for murder, Shujaa Graham was sentenced in  
12 California in 1976; the state supreme court overturned his  
13 conviction because the district attorney had systematically  
14 excluded African American jurors in his first trial; Mr. Graham was  
15 ultimately acquitted in 1981, and since then he has played a leading  
16 role in the anti-death penalty and human rights movements; and

17 WHEREAS, Ron Keine was sentenced to death in New Mexico in  
18 1974 after a witness, under intense pressure from prosecutors,  
19 fabricated a story about his guilt; the following year, the real  
20 killer turned himself in, and a new trial for Mr. Keine and his  
21 codefendants was eventually ordered; before the trial could be  
22 held, though, a judge threw out the murder indictment on the grounds  
23 that ballistic tests conclusively linked the confessed killer to  
24 the murder weapon; freed in 1976, Mr. Keine now owns a business in  
25 Michigan and is a leader in the campaign to abolish the death  
26 penalty; and

27 WHEREAS, Anthony Graves of Brenham was arrested in 1992 and

1 convicted in Texas in 1994, primarily on the testimony of one  
2 witness who later recanted his story; the Fifth Circuit Court of  
3 Appeals ultimately overturned Mr. Graves's conviction in 2006, and  
4 he was then sent to the Burleson County jail to await his new trial,  
5 which would be four years in coming; during that time, he was kept  
6 in solitary confinement; finally, in 2010, 18 years after Mr.  
7 Graves was first imprisoned, a special prosecutor determined that  
8 no case against him had ever existed, and the charges against him  
9 were dropped; and

10 WHEREAS, There is no way to restore to these men the years  
11 they have lost, or to compensate them for the mental and emotional  
12 anguish they have suffered; notwithstanding the immeasurable pain  
13 they have endured, however, they have found the resilience to take a  
14 terrible ordeal and channel their response into constructive  
15 endeavor; their strength and purposefulness are a testament to  
16 their remarkable spirit and a continuing inspiration to countless  
17 fellow citizens; now, therefore, be it

18 RESOLVED, That the House of Representatives of the 82nd Texas  
19 Legislature hereby honor Clarence Brandley, Albert Burrell, Gary  
20 Drinkard, Shujaa Graham, Ron Keine, and Anthony Graves for their  
21 tenacity in the pursuit of justice and for their significant  
22 contributions to the debate over an issue of paramount public  
23 concern; and, be it further

24 RESOLVED, That official copies of this resolution be prepared  
25 for these gentlemen as an expression of high regard by the Texas  
26 House of Representatives.

Dutton

Straus	Gonzales of Williamson	Morrison
Aliseda	Gonzalez	Munoz, Jr.
Allen	Gooden	Murphy
Alonzo	Guillen	Naishtat
Alvarado	Gutierrez	Nash
Anchia	Hamilton	Oliveira
Anderson of Dallas	Hancock	Orr
Anderson of McLennan	Hardcastle	Otto
Aycock	Harless	Parker
Beck	Harper-Brown	Patrick
Berman	Hartnett	Paxton
Bohac	Hernandez Luna	Pena
Bonnen	Hilderbran	Perry
Branch	Hochberg	Phillips
Brown	Hopson	Pickett
Burkett	Howard of Fort Bend	Pitts
Burnam	Howard of Travis	Price
Button	Huberty	Quintanilla
Cain	Hughes	Raymond
Callegari	Hunter	Reynolds
Carter	Isaac	Riddle
Castro	Jackson	Ritter
Chisum	Johnson	Rodriguez
Christian	Keffer	Schwertner
Coleman	King of Parker	Scott
Cook	King of Taylor	Sheets
Craddick	King of Zavala	Sheffield
Creighton	Kleinschmidt	Shelton
Crownover	Kolkhorst	Simpson
Darby	Kuempel	Smith of Harris
Davis of Dallas	Landtroop	Smith of Tarrant
J. Davis of Harris	Larson	Smithee
S. Davis of Harris	Laubenberg	Solomons
Deshotel	Lavender	Strama
Driver	Legler	Taylor of Collin
Dukes	Lewis	Taylor of Galveston
Dutton	Lozano	Thompson
Eiland	Lucio III	Torres
Eissler	Lyne	Truitt
Elkins	Madden	Turner
Farias	Mallory Caraway	Veasey
Farrar	Margo	Villarreal
Fletcher	Marquez	Vo
Flynn	Martinez	Walle
Frullo	Martinez Fischer	Weber
Gallego	McClendon	White
Garza	Menendez	Woolley
Geren	Miles	Workman
Giddings	Miller of Comal	Zedler
Gonzales of Hidalgo	Miller of Erath	Zerwas

H.R. No. 829

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Speaker of the House

I certify that H.R. No. 829 was adopted by the House on March 16, 2011, by a non-record vote.

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Chief Clerk of the House